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. Edinburgh: MDCCLXXIII.

THE BOOK OF CARLADEROCK

MEMOIRS

OF THE

MAXWELLS,

CARLS OF **N**ITCHSDALE

LORDS **M**AXWELL & **H**ERRIES

BY

WILLIAM **F**RASER.

VOL. II.

CORRESPONDENCE & CHARTERS.

EDINBURGH · MDCCCLXXIII





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2. King James V. to James third Earl of Mortoun and Katherine Countess of Mortoun, his Majesty's sister, expressing his preference of Robert Maxwell as a husband for their younger daughter; and intimating his intention to take the said Robert into the royal household. Edinburgh, 21st July [1528,]	1
3. King James V. to Robert fifth Lord Maxwell, requiring him to make payment to Katherine Countess of Mortoun, his Majesty's sister, of 300 merks of arrears of mails of the barony of Buthil, which pertained to her, and to cause his brother, John Maxwell, to pay to her three years' mails of her conjunct-fee lands of the Mains of Preston, called the Wrayes. Edinburgh, 12th May [1529,]	2
4. King James VI. to Robert first Earl of Nithsdale, Walter first Earl of Buccleuch, and John [Murray] Viscount Annand, requiring them forthwith to appoint some convenient time and place to meet with the Earl of Cumberland and the Lords Clifford and Howard, to devise measures for suppressing the disorders in the middle shires between the two kingdoms. Windsor Castle, 23d April 1623,.....	3
5. King James VI. to [the Privy Council of Scotland,] requiring them to call before them the Earl of Nithsdale and the Laird of Johnston, who were at feud, and to reconcile them. Theobalds, 29th May 1623. Copy,	3
6. King James VI. to the Privy Council of Scotland, requiring them to suspend all proceedings in the actions raised before them by certain of the Earl of Nithsdale's creditors, during the current winter session. Cambridge, 9th December 1624, Copy,.....	4
7. King Charles I. to Robert first Earl of Nithsdale, requiring him to make an arrangement with the burgh of Edinburgh, and such other burghs as should join with it, relative to the amount of extraordinary taxation to be paid by them, and to cause an Act of Council to be made thereanent for their security. Whitehall, 20th February 1626,.....	5
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graciously given orders to the noble, our trusty, beloved, and commissioned Colonel, Earl of Nidisthall, to levy a regiment of three thousand men, of good, well-trained, valiant Seottish soldiers for behoof of us and the Lower Saxou Circle, to take the same into our service, and at proper place and time, according to our most gracieous order, to place himself at their head. In order that no impediment may be offered to him herein, we have thought it necessary to provide him with this our patent. We accordingly here-with address to all and several, as soon as he is provided with this our patent, our special request, favourable inclination, and most gracieous desire to our high and subaltern officers of horse and foot, in pursuance of this, earnestly requiring your Grace, and you in your several jurisdictions and districts, to make friendly provision for our foresaid Colonel, especially to show him and let him experience hereby all good furtherance, assistance, and help on our account. So are we ready and inclined to reward your Grace and you, should you show yourselves to be friendly and of good will herein, with reciprocal demonstrations of our regard and of our royal favour and grace. But let our subjects herein do and execute the earnest intention of our most gracieous command. Issued under our royal sign-manual and privy seal. Given at Stade, our headquarters, this 28th February of the year 1627. CHRISTIAN, 6

9. King Charles I. to Robert first Earl of Nithsdale, expressing his approval of the agreement made by the Earl with the Countess Dowager of Lothian relative to her jointure, and her daughter's interest in the lordship of Newbottle, and desiring that the Earl should persuade the Countess Dowager to adhere thereto. Whitehall, 14th April 1627, 6
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12. King Charles I. to the Viscount of Dupplin, Chancellor, and others, requiring them to grant such favour and protection as they lawfully could to the Earl of Nithsdale in his defences against unreasonable creditors. Theobalds, 15th July 1627, 9
13. King Charles I. to the Privy Council of Scotland, deferring the embarkation of the regiments which were to serve in Denmark till 31st August, and requiring the Council to levy as many idle persons as possible for that service, and to distribute them equally amongst the three colonels. Theobalds, 15th July 1627. Copy, 10
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16. King Charles I. to the Privy Council of Scotland, requiring that they should pass no gift of

- the Earl of Nithsdale's escheat until his Lordship should first be heard thereanent, that the benefit thereof might be applied for the payment of his debts and the relief of his cautioners. Whitehall, 20th April 1630,..... 12
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23. King Charles I. to Robert first Earl of Nithsdale, authorizing him to surrender the Castle of Carlaverock, and likewise the Castle of Treve, if necessary, on the best and most honourable terms he could obtain. York, 15th September 1640,..... 16
24. Henrietta Maria, Queen of King Charles I., to Robert first Earl of Nithsdale, informing him that she had intrusted the bearer, Mr. Maxwell, with the communication of her sentiments to his Lordship. York, 5th April [1640,] 17
25. Louis XIII., King of France, to Robert first Earl of Nithsdale, thanking him for his offers of service, and expressing his willingness to avail himself of them as occasions should present themselves. St. Germain-en-laye, 23d March 1641, 18
26. King Charles I. to Robert first Earl of Nithsdale, thanking him for his offers of affection and service, and for other instructions, delivered by Captain Maxwell. York, 7th May 1642,... 18
27. King James VII. of Scotland to William Duke of Queensberry, Treasurer, and John Earl of Kintore, Treasurer-Depute of Scotland, authorizing and requiring them to pay to Lady Lucy Douglas, Countess-Dowager of Nithsdale, the arrears of the pension of £200 granted to her by his late Majesty King Charles II.; and also to send to his Majesty a signature containing a royal grant in favour of William, then Earl of Nithsdale, of lands forfeited by the rebels in

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32.	Gilbert third Earl of Cassillis, Robert fifth Lord Maxwell, and others, to Henry VIII., King of England, informing him of their arrival at Derntoun, after their visit to the Court of England; of their meeting with the Earl of Angus there, and receiving from him his Majesty's letters, and of their intention to set out for Scotland in twenty days. 19th January [1542-3,]	24
33.	Robert Maxwell, son of Robert fifth Lord Maxwell, to Mathew fourth Earl of Lennox, thanking him for his exertions with the King of England to secure the liberation of Lord Maxwell; requesting to be informed wherein he could advance his Majesty's service; and expressing his resolution to leave nothing undone with a view to his father's liberty. Dumfries, 23d February [1544-5,]	25
34.	Mathew fourth Earl of Lennox to Robert Maxwell, son of Robert fifth Lord Maxwell, in reply to the foregoing, expressing his opinion that Mr. Maxwell had not been so zealous to do his Majesty's pleasure as his father had desired him; urging him to furnish his Lordship, by his behaviour, with an occasion to make suit to the King on behalf of Lord Maxwell; and intimating that he had obtained from Lord Wharton a safe-conduct for a servant to pass from Scotland to Lord Maxwell. Carlisle, 25th February [1544-5,]	26
35.	Robert Maxwell, son of Robert fifth Lord Maxwell, to Gilbert third Earl of Cassillis, referring to the circumstance of his father being a prisoner in the Tower of London, and requesting the Earl to inform him if anything respecting the King's intentions towards his father had come to his knowledge. Dumfries, 24th March [1544-5,]	28

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37. Gilbert third Earl of Cassillis to Robert Master of Maxwell, son of Robert fifth Lord Maxwell, informing him that he had no "special communings" with the King on the subject of his father's liberation from the Tower; and that the King was favourable to the peace, and to the marriage between the Queen of Scots and the Prince (Edward) of England; and counselling him to use all his endeavours to promote the same. Carlisle, 25th March [1545,] 30
38. Robert fifth Lord Maxwell to the Lords of the Privy Council of England, alluding to his being a prisoner in the Tower, and entreating them to move his Majesty to grant him pardon and liberty, in which case he promises to do his Majesty such service that no Scotchman should do the like on the west border. [Circa April 1545,] 31
39. Robert fifth Lord Maxwell to the Lords of the Privy Council of England, renewing his request that they would entreat the King to grant warrant for his removal from the Tower to Carlisle, where he might have more convenient intercourse with his son and other friends in Scotland for the service of the King; and expressing his willingness to deliver up to the King any of his castles or holds, which might be commodious to his Majesty, with the lands and revenues thereof. [April 1545,] 32
40. Edward Seymour, Earl of Hertford, to Robert fifth Lord Maxwell, wherein he refers to a letter from the latter, expressing a desire to have the King's permission to enter Scotland for a month, and advises him to suspend that suit until some better proof should be furnished of his devotion to his Majesty's service, and suggests that he should endeavour, by letter, to induce his friends, the Earl of Angus, Sir George Douglas, and others, to interpose in his behalf. [18th June 1545.] Copy, 33
41. The Privy Council of Scotland to Robert first Earl of Nithsdale, stating that they had conferred with the Laird of Johnston relative to the exemption and advocations alleged to be the grounds of the disorders on the West Marches of Scotland, and had written to the Commissioners to attend an adjourned diet on the 7th February, at which they begged his Lordship would favour them with his presence and counsel. *Ante* 7th February [1627,] 35
42. George Viscount of Dupplin, Chancellor of Scotland, to Robert first Earl of Nithsdale, informing him that the King, in consequence of the differences betwixt the buyers and sellers of teinds respecting their value having been offered to be submitted to him, had deferred all further proceedings therein till he had received an effectual submission from the teind masters, as well anent the teinds as the superiorities and feu-duties, and entreating his Lordship to be in Edinburgh before the 1st September, to assist in giving his Majesty a satisfactory answer in the premises. Edinburgh, 11th August 1627, 36
43. The Lords of the Privy Council of Scotland to Robert first Earl of Nithsdale, intimating that, in consequence of the numerous disorders and thefts in the Middle Shires, the Council had appointed a meeting of the whole Commissioners to be held at Holyroodhouse, on 17th January next, to devise a remedy for the same, and desiring his Lordship to attend the diet. Holyroodhouse, 20th December 1627, 37

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44. The Lords of the Privy Council of Scotland to Robert first Earl of Nithsdale, requesting him to make diligent inquiry and search for Robert Brambe, alias Bramble, who had been nominated by the King, Sheriff of Northumberland, and who, to shun the said office, had withdrawn to Scotland, to the contempt of his Majesty's authority; and, if found, to charge him to appear before his Majesty's Council. Holyroodhouse, 9th June 1629,..... 38
45. Letter sent by the Court of King Charles I. to the Court of Louis XIII., King of France, along with the answer to the proposed Articles of Peace between these monarchs, referring, for the explanation of some words of the Articles, to the bearer of the letter, and alluding in detail to the chief circumstances under which the discord between the two countries had originated and had been embittered; and assuring Louis that it was the desire of King Charles that a timely reconciliation might be effected. [*Circa* 1630.]..... 39
46. Proposed Articles of Peace between Charles I., King of England, etc., and Louis XIII., King of France, comprehended under eight heads:—(1.) To renew the ancient alliance between the two Crowns, and to maintain inviolate the regulations respecting commerce. (2.) From the difficulty of making restitutions of the various seizures made on both sides during the war, both Crowns to agree to retain what they have. (3.) To renew in good faith the articles and contracts for the marriage of the Queen of Great Britain. (4.) All the ancient alliances of both Crowns to remain in force. (5.) The two kings respectively to give assistance to their allies and friends as the constitution of affairs and the public advantage shall require, and to endeavour to secure entire peace to Christendom. (6.) Ambassadors extraordinary to be sent with the ratification of the present treaty, and to bear also the character of ordinary ambassadors in order to their residing at the respective Courts. (7.) That as many ships are still at sea under letters of marque, the commanders of which may not know for some time of this peace, whatever shall happen within two months after the date of the peace shall not affect the same, nor the good understanding between the two Crowns, but the vessels taken shall be restored on both sides. (8.) The two kings shall sign the articles, which shall then be delivered by the respective ambassadors at their Courts, and all acts of hostility by sea and land to cease from the day of signature. [*Circa* 1630.] Copy,..... 42
47. Proposals from Louis XIII., King of France, relative to the action to be taken by France in regard to the Palatinate, a Treaty of Commerce, and other matters, wherein he offers the assistance of France in effecting an accommodation between the Duke of Bavaria and the Prince Palatine, and also in forming a league with England and the States, in order to recover, by force of arms, the places which the Spaniards held in the Palatinate, in the event of their refusing to give them up, without delay, into the hands of the King of Great Britain, and to assist in the guarding and defending of such places, when restored, with powerful forces; and agrees to the restitution of all that had been taken since the peace, in terms of the agreement made between the Sieur de Chasteauneuf and the Council of England. June 1630. Copy, 43
48. The Privy Council of Scotland to Robert first Earl of Nithsdale, intimating that they had considered the commission granted to his Lordship as a Commissioner of the Middle Shires, and were of opinion that, with the presence of any of the Sub-commissioners, he might proceed to hold his court at the burgh of Dumfries, as he had appointed. Holyroodhouse, 5th February 1631,..... 44
49. [Robert first Earl of Nithsdale] to the Viscount of Dupplin, Chancellor, and other Lords of the Privy Council of Scotland, intimating that Thomas and John Johnston, who had been appre-

- hended by him for theft, and had been liberated on bail by order of their Lordships, had failed to compare at the Justiciary Court at Lanark, where the Commissioners had met to try them, and returning to their Lordships the Commission of Justiciary which they had granted to him, in consequence of their evident want of confidence in his impartiality. [18th April 1631.] Copy, 46
50. William Haig, Crown Solicitor, to Robert first Earl of Nithsdale, wherein he explains to his Lordship the grounds upon which he proposed to change the tax rolls; and requests that, as his Majesty had by letter ordained a change to be made thereon, unless sufficient objections to the Solicitor's reasons for the change could be shown, his Lordship would beseech his Majesty to take notice of the answers to the reasons, a copy of which was enclosed. Edinburgh, 13th April 1631, 48
51. The Lords of the Privy Council of Scotland to Robert first Earl of Nithsdale, suggesting that his Lordship should, if he thought it expedient, deliver up to the Sheriff of Northumberland for trial Robert Swan, a notorious thief, who was in his Lordship's custody. Holyroodhouse, 17th November 1631, 49
52. The Lords of the Privy Council of Scotland to Robert first Lord Kirkeudbright, intimating that, in consequence of the disorders and thefts committed within the Middle Shires, his Majesty had appointed a meeting of the whole Commissioners to be held at Holyroodhouse, on the 21st November next, and requesting his Lordship to attend the diet. Edinburgh, 3d October 1633, 50
53. Thomas Viscount Wentworth, Lord-Deputy of Ireland, to Francis Lord Mountnorris, Chief Baron of Ireland, and others, enclosing papers connected with the Earl of Nithsdale's business, and desiring to have their opinion thereon; to which the Chief Baron and barons append their opinion, suggesting that a Commission should be granted as desired, under an exception therein stated. Dublin, 30th November 1633, 51
54. The Lords of the Privy Council of Scotland to Robert first Earl of Nithsdale, intimating that a remonstrance had been made to them by some in the Middle Shires against his Lordship's procedure in apprehending and detaining in custody certain persons who had never been declared fugitives or outlaws, and that a petition for their liberation on bail had been presented to them; and suggesting that his Lordship should take into consideration the expediency of liberating such prisoners on bail. Edinburgh, 10th September 1636, 52
55. General George Monck to Captain William Ross, Commissary of the shire of Dumfries, requesting him to intimate to a meeting of delegates from the shires and burghs of Scotland, to be held in Edinburgh, that the General had sent Thomas Gamble to the Parliament with instructions to move that Scotland should enjoy an equality with England; and also to move that all arrears of cess due by the shires and burghs should be immediately paid to the Receiver-General. Also, requiring him to accept from Lord Kenmure security, if offered, for his peaceable living. Darlington, 9th January 1659, 53
56. George Monck, Duke of Albemarle, to Robert second Earl of Nithsdale, and other Lords, intimating that he had seen their commission to Commissary Ross, and that it would not be necessary for any of their Lordships to go up to London at that time. Cockpit, 24th July 1660, 55

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| 57. The Lords of the Privy Council of Scotland to John Maxwell, third Earl of Nithsdale, or to Robert Lord Maxwell, intimating that they had required the Commissioners of the Militia to inform themselves regarding the disorderly carriage of several heritors, outed ministers, and others, in the bounds of Wigton and Kirkeudbright, in holding conventicles and baptizing children, etc., and to call the offenders before them; and, in the event of their failing to appear, to seize upon them, and send them in to the Council by a party of militia, with any evidences of their guilt they might obtain. Edinburgh, 4th March 1669,..... | 55 |
| 58. The Lords of the Privy Council of Scotland to Robert Lord Maxwell, afterwards fourth Earl of Nithsdale, one of the Commissioners of Militia for Wigton and Kirkeudbright, signifying his Majesty's desire that the training of the militia be vigorously proceeded with, and that the troops of horse be exercised conform to the former instructions sent to his Lordship. Edinburgh, 15th July 1669, | 57 |
| 59. The Lords of the Privy Council of Scotland to the said Robert Lord Maxwell, reminding him that the time was approaching for the training of the militia, and requesting him to put into execution the Act of Parliament against absentees from rendezvous, and to furnish their Lordships with the names of deceased officers, and of those appointed to fill the vacancies. 3d March 1670,..... | 58 |
| 60. John seventh Earl, afterwards Duke of Rothes, Chancellor of Scotland, to Robert Lord Maxwell, informing him that the Council had appointed the 2d August for the general rendezvous of the militia of Wigton and Kirkeudbright, and requesting his Lordship to bring to that diet the troop of horse under his command, and to give the Muster-Master General, George Murray, all due assistance and countenance in the discharge of his commission. Edinburgh, 12th May 1670,..... | 59 |
| 61. The Same to the Same, requesting him to put into execution the provisions of the Act of Parliament, and the several orders and instructions he had received relative to the militia; to appoint a general rendezvous upon the 4th July, and to make a return to the Council, before 4th August, of the condition of the militia, with the names of the officers appointed by him, and what vacant places fell to be filled by the King. Edinburgh, 5th April 1671, | 59 |
| 62. The Lords of the Privy Council of Scotland to Robert Lord Maxwell, requiring him to take special care to have the troop of horse under his command in readiness to receive such orders as their Lordships should direct to him, and to attend rigorously to the stated days for exercising them. Edinburgh, 18th June 1674, | 60 |
| 63. John seventh Earl, afterwards Duke of Rothes, Chancellor of Scotland, to Robert Lord Maxwell, intimating that the Privy Council had fixed the rendezvous of the militia troop of horse under his command to be kept on 3d July, and requesting him to give notice thereof to all concerned. Edinburgh, 2d May 1678,..... | 61 |
| 64. Charles Lord Viscount Townshend, Principal Secretary of State, to the Lieutenant of the Tower of London, requiring him to receive into his custody the bodies of the Earl of Derwentwater, Lord Widdrington, Earl of Nithsdale, Earl of Winton, Earl of Carnwath, Viscount Kenmure, etc., etc., for high treason, in levying war against his Majesty, and to keep them in safe custody until delivered by due course of law. Whitehall, 8th December 1715, | 62 |

III.—FAMILY AND DOMESTIC LETTERS.

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65. Sir John Maxwell of Pollok, Knight, to Mr. Alexander King, Advocate, requesting him to raise letters of suspension for reducing two decreets given before the Privy Council, and to inform him what was fittest to be done relative thereto. Haggis, 16th April 1593,	63
66. John eighth Lord Maxwell to John sixth Lord Herries, requesting him to allow the bearers, Herbert Maxwell and Adam Cunynghame, to select certain writs from the writer's charter-chest, and receive their receipt therefor. To this letter is appended a receipt by the said Herbert Maxwell for a discharge in favour of John Earl of Morton. Dumfries, 17th September 1605,	64
67. John eighth Lord Maxwell to his brother-in-law, John sixth Lord Herries, requesting him to deliver to the bearer the writer's charter of the altarage of Caerlaverock, and to receive his receipt for re-delivery thereof. Caerlaverock, 9th May 1607,	64
68. Eliza Napier, sister of John Napier of Merchiston, the inventor of Logarithms, and wife of James Lord Ogilvie of Airlie, to Robert first Earl of Nithsdale, enclosing a letter from the King, addressed to my Lord of Melrose, on her Ladyship's business; thanking the Earl for his friendly exertions with his Majesty on her behalf, and entreating the continuance of the same. London, 1st May 1623,	65
69. Mr. George Con, in Rome, to Robert first Earl of Nithsdale, informing him that James Maxwell, on being asked by his General the cause of his coming out, answered that his Lordship had commanded him to leave the Jesuits, as his remaining among them would be the destruction of the house of Nithsdale and Herries, and of all their friends; and that he made this communication to his Lordship at the command of the Earl of Angus (who did not believe Mr. Maxwell's statement;) and requesting his Lordship to obtain from James Maxwell a declaration under his own hand of his reasons for going out, and to send it to the writer at Rome, in order to remove the odium which the report had cast upon his Lordship at the Papal Court. The postscript of this letter is holograph of William eleventh Earl of Angus. Rome, 10th January 1625,	67
70. The Same to the Same, acknowledging the receipt of two letters from him, and informing him that several sums of money sent from "Danskine" had been intercepted; that all were in arms in these parts; and that several persons had been killed on the roads since his Lordship's departure from Rome for Paris. 3d February 1625,	68
71. The Same to the Same, intimating that he had received news of his Lordship's good health from Sir James Ochterlonie, by whom he had been introduced to Lord Carlisle; and giving his Lordship an account of their Scotch friends and acquaintances in Rome and Paris. Paris, 29th May 1625,	70
72. Sir John Maxwell of Pollok, Knight, and others, cautioners for Robert first Earl of Nithsdale, informing him that their lands were comprised, and themselves put to the horn, and requesting that his Lordship would give them his counsel in the circumstances, and that, if he could not raise sufficient money for their relief, he would endeavour to procure protection to their persons,	

	and a letter to the King's Treasurer for stopping the passing of their escheats until his Majesty's pleasure was known. College of Lincolndane, 24th August 1625,	Page 71
73.	John Spotswood, Archbishop of St. Andrews, to John Murray, Earl of Annandale, expressing his regret that he was unable to attend an approaching meeting of the Privy Council, owing to the severity of the weather, and that matters were carried so unfavourably for the King. Darsy, 14th November 1625,	72
74.	John Spotswood, Archbishop of St. Andrews, to Robert first Earl of Nithsdale, promising that he would grant his Lordship's request on behalf of Mr. William Maxwell, but could not oblige Mr. Hegge, who had also been recommended to him by his Lordship, and expressing dissatisfaction with the state of affairs at Court. Darsy, 14th March 1626,	73
75.	The Same to the Same, intimating that he had written to the Bishop of Ross at length, relative to the state of matters in the Privy Council; referring to the dissensions which had been sown among the burghs by a certain faction; urging his Lordship to hasten down on account of some order to be taken in the taxation; and evincing his concern for the relief of the seamen who were lying prisoners at Dunkirk. St. Andrews, 4th April 1626,	74
76.	The Same to the Same, intimating that he had received a letter from the Earl of Annandale, referring him to his Lordship for all information regarding business; desiring to know when and where he could meet with his Lordship, and the Lords Montrose and Stormont, that some course might be resolved upon for the prosecution of his Majesty's affairs, and suggesting Burntisland or Falkland for the place of meeting. Darsy, 8th August 1626,	75
77.	The Same to the Same, wherein, alluding to a letter received from his Lordship, from which it appeared that the proposed meeting could not take place, he states that the occasion was fair for mending all errors passed by the late Convocation, of which, if his Majesty took advantage, that would be an easier way of carrying his service, and expresses his dissatisfaction with the proceedings of the popular party, which were adverse to his Majesty's interest. Darsy, 12th August 1626,	75
78.	The Same to the Same, wherein he informs his Lordship that, on the last day of the meeting of the Privy Council, the ministers of Dumfries came all in, and gave in to the Council many delations of the disorderly proceedings of the Papists in that neighbourhood, of which they laid the whole blame upon his Lordship and Lord Herries; and expresses regret that his Lordship would not be moved to leave that unhappy course, which would undo his Lordship, and greatly prejudice his Majesty's service. Leith, 22d September 1626,	76
79.	Sir William Ker, second son of Mark first Earl of Lothian, assuming the title of Earl of Lothian, to Robert first Earl of Nithsdale, wherein, referring to a report that his proceedings since he returned to Scotland had been most "sinisterously" misrepresented to the King by Sir Robert Ker, who accused him of usurping a title that did not belong to him, and of having violently intruded himself into the possession of Sir Robert's escheat teinds, he defends himself from these charges, and authorizes the Earl to promise obedience on his behalf to his Majesty's will respecting the same. 10th November 1626,	77
80.	Colonel Alexander Seton to Robert first Earl of Nithsdale, informing him that he had represented to his Majesty the great trouble and charges his Lordship had been put to in connexion	

with the troops under his Lordship's command, and stating that the army was in good case, and would be better when his Lordship should be at the head of it. Butsenburgh, 11th June 1627,.....

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81. James eighth Lord Ogilvy, afterwards Earl of Airlie, to Robert first Earl of Nithsdale, assuring him that if he (the latter) did not move the Lords of Council to distribute all the shires of the kingdom equally among the colonels, his interests would suffer more than he could expect, for the Chancellor had written to the burghs, and to the special men of the landward parishes, to give their enrolled men to particular officers of his own choosing; requesting that his Lordship would let him know what shires were allotted to him, and that he should have Angus, if it fell to his Lordship's share. Desires, in a postscript, that certain men, whom he was to send to his Lordship, should be embarked in the readiest ship for Germany. 21st June 1627,..... 80
82. The Same to the Same, intimating the despatch to his Lordship of twenty-seven men whom Captain Ogilvy had kept at the writer's house of Bolshan for fourteen days, and requesting his Lordship to entertain them well, to give them clothing, and to ship them at Burntisland for Germany; and referring again to the subject of the preceding letter. Bollashone, 22d June 1627, 82
83. The Same to the Same, requesting him to have a ship in readiness for such soldiers as Captain Ogilvy had brought from the north, and who were then in his Lordship's house of Bolshan, that they might be conveyed to Germany. Kinnell, 29th June 1627, 83
84. The Same to the Same, requesting his Lordship to speak to the Earl of Melrose to assist the writer in obtaining a warrant to apprehend and give all the enrolled men within the regalities of Arbroath and Couper, of which he was heritable bailie to his Majesty, to his cousin, Captain Ogilvy, and likewise the enrolled men within his own lands in the parishes of Kinnell, Kingoldrum, Cortoquhy, etc.; and desiring his Lordship to use his influence with the Council to obtain warrants for him applicable to these parishes. Forther, 9th July 1627, 84
85. The Same to the Same, desiring to know whether it was necessary to insert the names of enrolled men in the letters and instructions given by the Council, and to be informed by his Lordship of the names of the men who had been enrolled in all the parishes of Angus. Church of Kingoldrum, 11th July [1627,] 86
86. The Same to the Same, requesting to be informed whether the ship in which the last levy of men sent by Captain Ogilvy were embarked had sailed, as his Lordship, if it had not sailed, would send some more men to join that levy; and desiring his Lordship to write to Serjeant Young, in Germany, to receive all the said men shipped by Captain Ogilvy. Alyth, 1st August 1627, 87
87. The Same to the Same, expressing his great satisfaction at the intelligence received from his Lordship, that the Council had made a distribution of the whole shires of Scotland (for the levying of soldiers for the war in Germany,) and requesting that his Lordship would adhere to his choice of the shire of Angus for himself, and suffer no one to persuade him to exchange it for any shire wherein the Earl Marischal's lands lay, nor for any other shire. Airlie, 7th August [1627,] 89
88. The Same to the Same, introducing to his Lordship's acquaintance Captain George Ogilvy,

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and George Ogilvy his lieutenant, who had in charge with them sixty-seven soldiers, of the special qualifications of several of whom in music the writer takes particular notice; and stating, in a postscript, that the young Laird of Tarrie, James Balfour, the writer's kinsman, would go to Germany with Captain Ogilvy, if he were preferred to be ensign to the captain's company. Kinnell, 15th August [1627,]	91
89. The Same to the Same, entreating his Lordship to receive kindly, and to entertain well, the bearer James Ramsay, "seriver" (writer) to Captain Ogilvy's company, who had long practised as a notary; and intimating that he had already caused proclamation to be made at the crosses of Forfar, Dundee, Cupar, Arbroath, Montrose, and Kirriemuir, and had written to the Justices of Peace and others, not to suffer any except those having the Earl of Nithsdale's warrant to apprehend any of the idle men within their parishes. Brieheensbrig, 16th August [1627,]	93
90. The Same to the Same, enclosing a letter to be forwarded to "Loehinvar," wherein he requested the latter to give Captain Ogilvy all the men he could spare forth of his lands; and entreating his Lordship to send a "gentleman" to young Loehinvar, as the bearer of the letter, who should stay till he received the men from him. Ediuburgh, 31st August 1627,	94
91. The Same to the Same, informing him that Alexander Coupland, sometime of Didoch, who had been enlisted to go to Germany with Captain Ogilvy, and had got more than £40 of the Captain's money, had elandestinely absented himself from embarking, and had induced his son and his son-in-law to do the same; expressing his suspicion that they intended to enlist themselves to some of the Earl of Morton's captains; and requesting his Lordship to endeavour to have them apprehended and conveyed to Captain Ogilvy's ship. Inverkeithing, 2d September 1627,	95
92. Sir George Hamilton [third son of Claud Lord Paisley?] to Robert first Earl of Nithsdale, acquainting him that he had obtained, as he desired, warrant from the Lord Deputy (of Ireland) to press soldiers for the Earl, but that the rumour thereof having got abroad, the greatest part of those that were liable to be pressed had gone out of the way, which would occasion much trouble both to himself and to Sir Alexander Hamilton. 23d June 1627,	97
93. The Same to the Same, intimating that he had received his Lordship's letters, together with those of the Council, but that he had previously obtained warrant from the Lord Deputy of Ireland for pressing boats; and expressing his regret that a severe "fit of sickness" kept him fast to bed, and impeded the prosecution of the business of pressing soldiers. 28th June 1627,	98
94. The Same to the Same, lamenting that his sickness not only prevented him from raising soldiers for his Lordship, but rendered it impossible for him to return to Scotland to prosecute his other weighty affairs; and stating that he would send to his Lordship about forty men, all "voluntaries," except one or two, being all he had been able to obtain. 7th July 1627, ...	98
95. The Same to the Same, stating that, if he had known that his Lordship would have waited so long, he could have completed his number of men, but he was afraid that his former levy would have arrived too late, and offering still to forward more men, if his Lordship would appoint some one to receive them on their arrival in Edinburgh. Kealdybeg, 20th August 1627, ...	99
96. Robert Elliot of Reidheuch to Robert first Earl of Nithsdale, requesting to have his Lordship's instructions respecting the despatch to him of some men, whom he had long had in readiness,	

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and desiring that his Lordship would send money to defray the charges for their maintenance. Flaskhome, 24th June 1627,	100
97. J. Borthwick to [Robert first Earl of Nithsdale,] intimating that, after having landed the levy of soldiers despatched by his Lordship, he had addressed himself to the King's Ambassador at Hamburg, who had had an interview with the King on his Lordship's behalf; mentioning also that the Chancellor had made so sure a promise of his Lordship's general patent, that he desired intimation to be made to him that it was already signed; and expressing a desire, for reasons of state, that his Lordship might arrive at Hamburg previous to the arrival there of Lord Spynie. Hamburg, 15th July 1627,.....	101
98. Captain George Ogilvy, eousiu to James Lord Ogilvy, to Robert first Earl of Nithsdale, acquainting him that, having heard that a ship was ready at Leith for conveying soldiers to Germany, he had sent twenty-nine soldiers by sea from Aberdeen, to be delivered as his Lordship should direct, and requesting that no time should be lost in shipping them, lest they should run away. Aberdeen, 17th July 1627,	102
99. The Same to the Same, informing him that he was coming to Burntisland with sixty soldiers, and requesting that they might be shipped as quickly as possible, as they were pretty fellows, very strong, and had been very troublesome in keeping. Kilmeny, in Fife, Thursday, August [1627,]	103
100. James Galbreth, Quarter-master at Geluckstadt, to Robert first Earl of Nithsdale, intimating that he had received his Lordship's last letters with John Draybruch's ship, and likewise 216 men; complaining of the scanty provisioning of the ship, and stating that his Lordship's companies, who were mustered according to his desire, were 200 strong; that the enemy were on the frontiers and ready to attack them, and the whole land in arms ready to give them battle; and that an engagement had taken place, in which the Scots had behaved with great bravery, and had lost several officers. Geluckstadt, 6th August 1627,	103
101. Sir Frederick Hamilton [fourth son of Claud Lord Paisley?] to Robert first Earl of Nithsdale, expressing his intention to come over with his full number of men to his Lordship; and intimating that he had received 100 merks sterling, but that there were still due 3000 merks Scots, which he entreated his Lordship to send over with haste. Banguill, 31st August 1627,	105
102. John sixth Lord Herries to Robert first Earl of Nithsdale, stating that he had despatched Thomas Maxwell of Logane to his Lordship with particular instructions, and that when he was cast out of his houses by the Laird of Drumlanrig, he removed from his house of Terregles his Lordship's charter-chest to a place of security; and requesting him to take it into his own custody. Kirkgunzian, 7th October 1627,.....	106
103. Katherine Duchess-Dowager of Lennox, widow of Esme third Duke of Lennox, to Robert first Earl of Nithsdale, giving her reasons for wishing her son James's pension changed to the Court of Wards; requesting his Lordship to use his influence with the King for that effect; and desiring, in particular, that she might have the management of her son's estate, for which she was accountable to the Lords. [Circa 1627,]	106
104. Sir John Maxwell of Pollok to Robert first Earl of Nithsdale, intimating that, in accordance with his Lordship's request, he had purchased in Glasgow a supply of wine for him, and on the following day had gone to the Mearns, where he desired his Lordship's tenants to furnish as	

- many horses as would carry it to Crawfordjohn, which they had refused to do, on account of its being the "thronge tyme of thair labour;" also, that the said tenants were unable to pay the arrears of their two years' rents, as victual was bringing no price. [*Circa* 1627,] 107
105. Robert first Earl of Nithsdale to William seventh Earl of Menteith, Lord President of the Council of Scotland, entreating him to move the King in some particulars which concerned his border service, with some few others that concerned the writer himself; stating that, in consequence of the inefficiency of the Commissioners and officers on the border service, and the consequent sufferings of his Lordship's tenants from lawless depredations, his Lordship, together with the Earls of Buccleuch and Annandale, took that service upon themselves, free of expense, to the Crown, which so displeased the Privy Council that they did everything in their power to thwart their Lordships in respect to that duty; and requesting that the King might be moved to write a "fair letter" to the Council thereanent. Also, that his Majesty would be pleased to secure Sir John Charteris of Amisfield from molestation in England, on account of the slaughter of two English thieves on the English side of the border. [*Circa* 1627,] 108
106. Marshal Tillieres to Robert first Earl of Nithsdale, intimating that he had put the letter which he had received from his Lordship into the hands of Cardinal Richelieu, who had read it attentively; that he had also given to Mr. Watson the answer to the papers or memoirs which he had brought, and had also had some conversation with him on the subject, which the latter would report to his Lordship; that Cardinal Richelieu had taken in good part the contents of his Lordship's letter, entertained a high opinion of his merits, and was well informed of his good will towards France. 21st December 1628, 111
107. Cardinal Richelieu to Robert first Earl of Nithsdale, acknowledging the receipt of his Lordship's letter; and assuring him that, as his Lordship was desirous for the union of the two crowns, he would always be very glad to correspond with him, and that he honoured the person of the King, his Lordship's master, as much as his Majesty could desire. Paris, 29th December 1628, 111
108. Marshal Tillieres to Robert first Earl of Nithsdale, expressing regret that he had so long detained Mr. Watson, who was very desirous to return, and informing him that, by the command of the Queen-mother and advice of the Marquis Deffiat, he had despatched the Sieur du Moulin to Cardinal Richelieu, who had brought the answers, which Mr. Watson would bring to his Lordship, and which would convince him of the good intentions of his Majesty, and the hearty affection of the Queen, his mother, towards the Queen of England, and of the sincerity of the Cardinal Richelieu, and of the other Ministers of State. 11th February 1629, 112
109. Robert first Earl of Nithsdale to Marshal Tillieres, wherein he blames Cardinal Richelieu for the bad success of his endeavours for a reconciliation between the Kings of England and France, and requests the Marshal to acquaint the Cardinal that his Lordship wished him to intrust his business of that nature to some one else hereafter. King Street, 27th February 1629, 113
110. Sir John Maxwell of Pollok to Robert first Earl of Nithsdale, wherein he refers to an assignation of a debt due by his Lordship, who, he suggests, should write to Lord Napier of Merchiston, the holder of the assignation; and requests his Lordship's answer relative to an offer for the block of his superiority made to him by Sir John. Nether Pollok, 4th August 1629, 113
111. Sir Richard Murray of Cockpool, Baronet, to Robert first Earl of Nithsdale, referring to negotiations between Lord Herries and himself for the purchase of that Lord's whole lands in

Annandale; requesting the Earl to offer to Lord Herries for the lands which the Laird of Johnston wished to purchase, 5000 merks more than the Laird had offered; and promising, in the event of his obtaining his desire in that matter, to resign freely to his Lordship his escheat, and also to deal with him for his lands of Hoddam. St. Martin's in the Fields, 27th September 1629, 114

112. Robert first Earl of Nithsdale to Mr. Scott, in Holborn, London, wherein he expresses his belief that there would soon be a good understanding between England and France; states that Cardinal Richelieu afforded evidence of his worth by the choice he had made of an ambassador; and intimates his intention of returning home as soon as he had introduced the Treasurer to the French Ambassador. Kingstoun, 14th October 1629, 116

113. The Same to the Same, intimating that the Lord Treasurer and the Ambassador Edmonds had been reconciled; requesting that negotiations should be opened directly with Cardinal Richelieu respecting the maintenance of a good understanding between Great Britain and France, the Ambassador Edmonds having been authorized to treat concerning the dowry of the Princess Henrietta; and undertaking that, in regard to Canada, restitution should be made of everything taken since the peace. London, 19th October 1629. Copy, 117

114. Robert first Earl of Nithsdale to Cardinal [Richelieu], stating that the difficulties long under negotiation had at length been arranged, and that he had now come to London, and would soon set out for Scotland, but would return to Court whenever his Excellency had occasion for his services. London, 19th October 1629. Copy, 118

115. Richard Lord Weston, afterwards Earl of Portland, to Robert first Earl of Nithsdale, in a letter sent by Sir Richard Graham, wherein, referring to the death of a mutual friend, he expresses regret for his loss; and informs his Lordship that his Irish business was then before the Commissioners for that kingdom, and that he would use his influence in his Lordship's favour. 1st March 1630, 118

116. Robert first Earl of Nithsdale to [Mr. Scott,] requesting him to negotiate with the French Ambassador, and expressing his earnest desire that nothing might happen to interrupt or mar the friendly intercourse between the Kings of England and France, and his belief that the Ambassador would receive contentment, as far as the Council of England had power, with reference to the matter of Canada. King Street, 19th March 1630, 119

117. Richard Graham, Carlisle, to Robert first Earl of Nithsdale, enclosing an account of proceedings relating to the border thieves, and the names of those that were delivered at the "Skotte Dyke," and who were to be tried at Jedburgh, and urging his Lordship to hasten to Carlisle and finish the work he had begun, which might root out theft from the borders; adding, that his Lady was well, and expected his company. Carlisle, 9th April 1630, 119

118. John Lord, afterwards Earl of Traquair, to Robert first Earl of Nithsdale, expressing his happiness that his Lordship had returned to Scotland; stating that he was then busied with his Lordship's accounts, and that he would gladly wait upon him at any place he might appoint, after the rising of the Session. Edinburgh, 26th July [circa 1630,] 120

119. Walter first Earl of Buccleuch to Robert first Earl of Nithsdale, stating that he had spoken with his Lordship's friend, Adam Cunningham, and had told him that his Lordship must

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consider of some way for his (the writer's) satisfaction, either by payment in money, or security by caution. Edinburgh, 27th August 1630,	120
120. The Marquis of Châteauneuf to Robert first Earl of Nithsdale, expressing his gratitude for the good offices of his Lordship towards him when in England, and stating that he was as good an Englishman as he was a Frenchman, and would yield to no Englishman in fidelity and affection towards the King of England. Arbi, 24th May 1630,	121
121. Cardinal Richelieu to Robert first Earl of Nithsdale, acknowledging a letter from his Lordship, expressive of his desire for the establishment of a perfect amity between the two Crowns, and assuring his Lordship that he would always, by every means in his power, contribute to that end. From Remilly in Savoy, 29th May 1630,.....	121
122. Robert first Earl of Nithsdale to Cardinal Richelieu, wherein, after referring to the earnest desire expressed by the Cardinal for a reconciliation between the King of France and the King of England, he states that he would willingly have had a meeting with the Cardinal or Count de Tillieres, and given them his best advice for accomplishing that object; but that now, having heard of the King of England's "hard impressions" of the Cardinal's carriage towards him, he durst not presume to come to France on that errand, but gives, in writing, his advice, and urges the Cardinal to be a "good means of reconciliation." [<i>Circa</i> 1630.] {Copy,.....	122
123. The Same to the Same, making offer of his service to the Cardinal, as having been the means of bringing about a state of matters which would result in so much happiness to both the King of France and the King of England; and remitting him for particulars to the bearer. [<i>Circa</i> 1630.] Copy,	123
124. James Maxwell of Kirkhouse, afterwards Earl of Dirleton, to Robert first Earl of Nithsdale, urging him to be reconciled to Sir John Maxwell of Conheath, and to receive him as a friend of his Lordship's house, who had long proved himself a loyal servant to his Lordship's deceased brother. Edinburgh, 20th May 1631,.....	124
125. Richard Boyle, first Earl of Cork, to Robert first Earl of Nithsdale, intimating that he had received instructions from the Lord High Treasurer of England concerning a proposition aiming at his Majesty's profit and his Lordship's, and expressing the utmost willingness to forward his Lordship's views by every means in his power. Dublin, 20th November 1631,	124
126. Robert first Earl of Nithsdale to Cardinal Richelieu, assuring him that his previous silence was not owing to a want of goodwill to continue their correspondence, but chiefly to the want of a faithful bearer; and that, according to his limited ability, none would endeavour more to contribute to the object which they both had in view, he having already sufficient assurance of the Cardinal's affection to the King, his Lordship's master. London, 8th July 1632,.....	125
127. Cardinal Richelieu to Robert first Earl of Nithsdale, acknowledging receipt of the preceding letter, and entreating his Lordship to believe that, should an opportunity of serving him present itself, he would embrace it with a sincere desire of showing him that none had a greater esteem for his Lordship than himself. Fontainebleau, 18th August 1632,.....	126
128. Robert first Earl of Nithsdale to [Cardinal Richelieu,] thanking him for his remembrance of him, and for the continuance of his affection and goodwill, without desert on his Lordship's part, and chiefly on account of the Cardinal's endeavours always to preserve friendship between the King of France and the King his Lordship's master, of which he had often had experience, and particularly by the bearer. Edinburgh, 10th December 1632,	126

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| 129. Sir John Gordon of Loehinvar, afterwards Viscount of Kenmure, to Robert first Earl of Nithsdale, intimating that he had heard of a letter addressed to his Lordship by Mr. Robert Murray, a minister, containing some calumnies against him (Sir John,) and expressing a hope that his Lordship would not refuse to let him know what he was unjustly charged with. Greenlaw, 24th February 1633, | 127 |
| 130. Richard Weston, Earl of Portland, to Robert first Earl of Nithsdale, apologizing to his Lordship for having so long detained his servant, who had been despatched on business connected with Court, and stating that, owing to bad health, he had been unable to ascertain the sentiments of his Majesty, who had returned for answer that he would declare his pleasure relative to the matter at his return from Newmarket. 6th March 1633, | 127 |
| 131. Sir Thomas Hope, Lord Advocate, to Robert first Earl of Nithsdale, intimating that he had conferred with the Earl of Annandale regarding his Lordship's business, and found him very willing to shun all "contestation" with his Lordship, provided he received security; and suggesting that he should grant to the Earl of Annandale a wadset over certain lands which were then in possession of his Lordship's mother. Edinburgh, 4th February 1634,..... | 128 |
| 132. Thomas Viscount Wentworth, Deputy-Lieutenant of Ireland, to Robert first Earl of Nithsdale, congratulating his Lordship upon the happy conclusion of his business; informing him that it would not be possible to give him his money before Candlemas, as there were not then £1000 in the Irish Exchequer; and stating his readiness to do his Lordship justice in his other business concerning Fleming's lands, and other lands in Connaught. Dublin, 5th October 1635, | 130 |
| 133. William first Marquis of Douglas to Robert first Earl of Nithsdale, returning to him a commission, after having made a copy thereof; and stating that he would communicate to his Lordship the Lord Treasurer's reply to a letter which the Marquis was to address to him. Douglas Castle, 3d September 1636, | 131 |
| 134. A. Guthrie to Robert first Earl of Nithsdale, intimating that the bearer was at last despatched with all that his Lordship required; that he had spoken with the Duke concerning his Lordship's business of the Mearns; that his Grace was resolved to take a course with all debts due to him; and that if his Lordship did not provide the money soon, his Grace would make over the Mearns to Broomhill, who, the writer believed, intended to purchase it for the Earl of Lanark, Lord William Hamilton; and concluding with giving his Lordship an account of the foreign and domestic news of interest. St. Giles, 29th January 1640,..... | 131 |
| 135. George second Marquis of Huntly to Robert first Earl of Nithsdale, wherein he alludes to the "beleaguering" of his Lordship's house, and states his belief that the King was nobly constant to right his own honour, and not to neglect any man who, in these later times, had expressed a sincere fidelity to his service. Hampton Court, 19th July [1640?],..... | 134 |
| 136. Letter relative to the siege of the Castle of Carlarverock, to a nephew of the Earl of Nithsdale, wherein the writer alludes to a letter from Secretary Sir Henry Vane, to Lord Maxwell, written by the King's direction, wishing his Lordship to advise his father to take the best conditions he could obtain, and to surrender his Castle of Carlarverock to the enemy, in regard that his Majesty was unable to send him succour; states his belief that the besiegers would not give the Earl of Nithsdale quarter unless he delivered up to them both the Castles of Treeve and Carlarverock, which the Earl would never be persuaded to do; and mentions | |

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- that another letter from Sir Henry Vane to Major Alcock, intimating that his Majesty was on his way down to York, and that next week the army would be on the march towards the frontiers, had greatly revived the spirits of the friends of the besieged, as they were anxious to anticipate assistance from either the English or the Irish army. Also, that the ministers of four or five presbyteries in the south of Scotland had ordered from their pulpits that each parish should send four horses to meet the eanou between Edinburgh and Biggar. Carlisle, 15th August 1640, 134
137. William Maxwell of Kelton to Robert first Earl of Nithsdale, wherein he complains of the severity of the treatment which he and other gentlemen who had stood faithful to the service of the King and his Lordship were receiving by the arbitrary and exorbitant demands made upon them for the support of the soldiery, and entreats that his Lordship would procure some warrant from the King in favour of the writer and his friends, and mentioning the friendly bearing of Lord Kirkeudbright towards them. Kelton, 30th March 1641, 138
138. Robert Shennan, Steward-clerk of Kirkeudbright, to Robert first Earl of Nithsdale, complaining that, on account of his "lying out of the covenant," all his goods and property had been taken from him, he having been in the Castle of Threave during the siege thereof; and entreating that his Lordship would assist him in obtaining redress for the loss he had sustained, and would prevent his opponents from depriving him of his office. 25th August 1641, 139
139. Mr. William Maxwell of Springkell to George Maxwell of Munches, acquainting him that almost all the noblemen were sitting in Parliament, and that very great exception was being taken because few or none of the Maxwells were present among them, and that the Lords Herries and Nithsdale absented themselves; also that a report, which had given great offence to the King, was current that Lord Nithsdale had given out that the King's forces would be overthrown, and that his Lordship was in correspondence with the enemy; requesting that Munches would show the letter to Lord Nithsdale, and bring him with them to Stirling, as all the noblemen were there except Lord Herries and him; and mentioning that the King's army consisted of 28,000 foot, and 6,000 horse. Stirling, 6th June 1651, 140
140. Robert second Earl of Nithsdale to Mr. William Maxwell, requesting him to deliver to Mr. Maxwell of Munches, the bearer, the original writs of the Stewartry of Kirkeudbright, as there was an Act passed for uniting the Stewartry to the sheriffdom of Wigtown. Dun[cow], 30th April 1656, 142
141. General George Monck to [Robert second Earl of Nithsdale,] expressing regret that his Lordship had sprained his leg; thanking his Lordship for his real affection towards him; and assuring him that he would be ever ready to serve him in everything that lay in his power. Edinburgh, 17th November 1659, 142
142. [Robert second Earl of Nithsdale] to General Monck, wherein, alluding to a request made by the Commissioners of the several counties to the General that some men should be put in arms for the preservation of peace upon the borders, he recommends that the command of such armed men should be intrusted to Commissary Rosse of Kirkeudbright, on account of his great influence with the people; and expresses a hope that he would see the General at Berwick before he marched, where he would give him the best advice in his power. Yle of Carlawerock, 24th November 1659, 143

143. Commissary William Rosse to Robert second Earl of Nithsdale, wherein he informs his Lordship that he had seen letters in the custody of General Monck which mentioned a great rising in the south of England; that eight garrisons had declared for the Parliament; that the city of London had forced the regiments that were within the city to retreat beyond the city bounds; that the old Council of State had met at Portsmouth, and had issued commissions for raising 5,000 horse and 10,000 foot to be under the command of Lord Fairfax, etc. Preston, 16th December 1659, 144
144. Robert second Earl of Nithsdale to the Noblemen and Gentlemen of the Stewartry of Kirkeudbright, wherein he expresses his regret that, owing to indisposition, he was unable to be present at their meeting; and recommends that they should desire Commissary Rosse to wait upon Lord General Monck, with the view of obviating the prejudices, both as to the impeding of the privileges of the Stewartry, and as to misinterpreting the actions and dispositions of the inhabitants thereof in relation to the desired approbation of the General's undertakings at his going to England. Yle of Carlawerock, 24th May 1660, 145
145. [Robert Maxwell of] Tinwald to Robert second Earl of Nithsdale, wherein, after stating that he had delivered his Lordship's letters to the Commander in Chief and his Secretary, he informs him that a commission had come from Court for the apprehension of Warriston, Cheislie, and the Provost of Edinburgh, and that Middleton was expected to be His Majesty's Commissioner to the Parliament, Gleneairn to be Chancellor, Crawford Treasurer, and Newburgh Secretary; suggesting that his Lordship should convene the Stewartry, and elect a member for Parliament who would be obsequious to His Majesty's desires; and advising his Lordship to repair to Court, as he wanted not "unfriends" there. Tinwald, 22d July 1660, 146
146. Robert second Earl of Nithsdale to Sir William Compton, intimating his readiness to act upon the advice of the latter, and of his brother, Lord Northampton, as to the expediency of the Earl's making an application to His Majesty, and requesting that Sir William would give his best assistance to Commissary Ross in prosecuting his or the writer's concerns. [August 1660,] 148
147. Robert second Earl of Nithsdale to Commissary William Ross, intimating that, notwithstanding the tenor of Lord General Monck's letters to him, he was resolved to make preparations for a journey to London; requesting him to ascertain and inform his Lordship by the following post whether his Grace would, under these circumstances, judge that his advice should be neglected; and expressing his determination to do nothing without his Grace's concurrence. [11th August 1660,] 148
148. The Same to the Same, wherein, alluding to a report that he had cast the King's horoscope and predicted his success, he denies the allegation; and with reference to the stopping of his promotion in the public service, declares that he has no inclination for public employments; but expresses a desire that he might be included among those noblemen who were to receive satisfaction for the losses sustained by them in His Majesty's service. [20th August 1660,] 150
149. James Earl of Northampton to Robert Earl of Nithsdale, expressing his willingness to do what lay in his power to serve Commissary William Ross, who had been recommended to him by his Lordship. 21st August 1660, 151

150. Commissary William Ross to Robert second Earl of Nithsdale, wherein he informs his Lordship of the death of the Duke of Gloucester, and of his Majesty's grief for the loss of such a brother; that the Parliament was adjourned till 6th November; that the Marquis of Hartfield, who had been created Duke of Somerset, was supposed to be dying; and that the army was about to be disbanded. Westminster, 15th September 1660, 152
151. The Same to the Same, wherein he desires to know whether his Lordship intended to come up to London, adding that the Duke of Albemarle and his Lordship's other friends advised that he should hasten to Court. Westminster, 17th September 1660, 153
152. Sir William Compton, third son of Spencer second Earl of Northampton, to [Elizabeth, Countess-Dowager of Nithsdale,] expressing his regret that he was unable at present to attend to the interest of her Ladyship and the Earl of Nithsdale with reference to compensation for the sufferings and losses sustained by the family on account of their loyalty to the King, but encouraging her Ladyship to hope that what was in the meantime delayed would not be forgotten. 5th November 1660, 154
153. George Maxwell of Munehes to Robert Earl of Nithsdale, giving him an account of the disputes between the Stewartry of Kirkeudbright and the Shire of Wigtown, relative to the election of members to represent them in Parliament, and urging his Lordship to hasten home and make ready for Parliament, as the nobility and gentry of the Stewartry "all stood stoutly to him." Iylle, 12th November 1660, 155
154. Elizabeth Beaumont, Countess-Dowager of Nithsdale, to her son, Robert second Earl of Nithsdale, requesting that his Lordship would come where she was for a few days, that she might dispose of some things that very much concerned them both, and informing him that she was so infirm as to be unable to write to him with her own hand. 28th March 1661, 156
155. The Same to the Same, expressing her happiness that the state of his Lordship's health permitted him to stay and see the close of Parliament, and intimating that she had endeavoured in vain to obtain some monies for him, but hoped to be able to send some shortly. 15th April 1661, 157
156. The Same to the Same, complaining of the treatment that she and his Lordship were receiving at the hands of some of their friends; and stating that she would gladly see his Lordship, that she might settle her fortune in a more secure manner, but would not advise him to leave London till Parliament rose. 22d May 1661, 157
157. Sir William Compton to Robert second Earl of Nithsdale, informing his Lordship that the Parliament had passed a vote for burning the Covenant by the hands of the hangman; that they were then engaged on a bill for repealing the Act which excluded the Bishops from sitting in Parliament; and that the House had voted the King a voluntary and free benevolence. 3d June 1661, 158
158. Jean Maxwell of Kirkeconnell to Robert second Earl of Nithsdale, thanking his Lordship for a present of fishes, and requesting his acceptance of a "salter," which, though of little value, might serve him for the time. Kirkeconnell, 7th October 1662, 159
159. James Duke of Buccleuch and Monmouth to John third Earl of Nithsdale, acknowledging the receipt of a letter from his Lordship respecting the barony or lordship of Langholm, and that, being but lately come of age, he was hardly competent to deal with his estate in Scotland,

- but that he would recommend his Commissioners to give his Lordship all just satisfaction with reference to that business. September 1671,..... 159
160. Anna Duchess of Buccleuch and Monmouth to Robert fourth Earl of Nithsdale, intimating that she would direct those who managed her affairs in Scotland to use all possible diligence to bring any differences betwixt her Ladyship and him to a close. Whitehall, 30th September 1678,..... 160
161. Alexander sixth Viscount Kenmure to the Countess of Nithsdale, denying that he had drawn up a petition against Lord Nithsdale, her son, but admitting that he had called the attention of the Duke of Hamilton to the Act of Parliament discharging all Sheriffs and Stewards who were popishly inclined, and that the Duke had said he would write to Lord Nithsdale thereanent. Kenmure, 17th October 1689, 161
162. William third Duke of Hamilton to Mary Countess of Traquair, his niece, upon the occasion of her marriage to the Earl of Traquair, expressing his happiness at the event, and desiring that she would present his humble service to his Lordship, although he had not the honour of his acquaintance. London, 30th January 1693-4,..... 161
163. Charles fourth Earl of Traquair to his Countess, Lady Mary Maxwell, after being absent from her two days, expressing his extreme desire to hear of her welfare and to be with her again, as she was never absent from his thoughts. Traquair, 9th February [16]94, 162
164. The Same to the Same, wherein he expresses his anxiety to get his business in Edinburgh finished, that he might return home, as he prefers her company to all the world besides; and mentions, as news, that Sir Thomas Livingstone and Sir William Hope were gone to Court. Edinburgh, 8th November 1694, 162
165. Elizabeth Howard, Duchess of Gordon, to [Mary Countess of Traquair,] enclosing some receipts (recipes) for her use, and requesting her not to communicate them to others; and congratulating her on her recovery after the birth of a daughter. 9th March 1695, 163
166. The Same to [the Same,] expressing her delight at the prospect of soon receiving a visit from her, and enclosing a recipe for a "leaden plaister," which she declares to be the best in Britain. 7th April 1695, 164
167. Charles fourth Earl of Traquair to his Countess, Lady Mary Maxwell, informing her that he had been confined to the house for a day or two with a cold, and expressing his longing desire to hear how she and their little child (Lady Lucie Stuart) were keeping their health. Edinburgh, 26th July 1695,..... 164
168. The Same to the Same, intimating that business was detaining him in Edinburgh for a few days, and requesting to hear from her Ladyship how their child was. [Edinburgh,] 1st February [16]97, 165
169. William fifth Earl of Nithsdale to [Mary Countess of Traquair,] his sister, sent by express in order to ascertain the state of her Ladyship's health; and intimating that he and his mother would be with her Ladyship the first week of March. Terregles, 16th February 1697, 165
170. Charles fourth Earl of Traquair to his Countess, Lady Mary Maxwell, intimating that his business with Lady Cardross would prevent him from returning home for some days, and begging to know how her Ladyship and the children were. Edinburgh, 19th June [16]97,..... 166

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171. The Same to the Same, intimating that he could not return from Edinburgh for a week; that his aunt, though still alive, was past all hope of recovery; and mentioning as news that Whitehall was burnt to ashes. Edinburgh, 11th January [16]98,	167
172. The Same to the Same, informing her Ladyship that his brother's business would detain him from home for several days, but that he would make all the haste possible to be with her. [Edinburgh,] 4th May [16]98,.....	167
173. The Same to the Same, desiring to know how her Ladyship and the children were, especially those of them that were sick, and stating that, if she thought it necessary, he would endeavour to bring Doctor Piteairn with him when he came home. Edinburgh, 8th December 1701,...	167
174. The Same to the Same, intimating his safe arrival at Bath, whither he had gone for the benefit of his health, and desiring that he might have letters from her as often as possible. Bath, 4th May 1706,	168
175. The Same to the Same, acknowledging the receipt of a letter from her Ladyship containing good accounts of the health of herself and the children, and intimating that he was deriving great benefit from the waters. Bath, 29th May 1706,	168
176. James second Duke of Queensberry to [William fifth Earl of Nithsdale,] desiring to be freed from the trust he had held for his Lordship as Steward of Kirkeudbright, and requesting him to send in his Grace's backbond to any one whom the Earl trusted in his business, that it might be retired. Holyroodhouse, 30th October 1706,	169
177. Charles fourth Earl of Traquair to his Countess, Lady Mary Maxwell, from the Castle of Edinburgh, where he was a prisoner, informing her that he was in perfect health, and living very pleasantly, and only expressing regret that she would not be allowed to stay in the Castle with him. Castle of Edinburgh, [April 1708,]	170
178. The Same to [the Same,] informing her Ladyship that he was in perfect health, but longing extremely to see her, and requesting that she would take the opportunity of coming to Edinburgh in her mother's carriage, and begging her not to be discouraged for what else might happen to him. Castle of Edinburgh, 22d April 1708,.....	170
179. Dr. Archibald Pitcairn to Mrs. Abercrombie, at Traquair, stating that, owing to the badness of the roads, he would not be able to come to Traquair; requesting her to write to him, at Edinburgh, an account of Lady Traquair's health; and alluding to a temporary illness of Lady Nithsdale. Terregles, 18th September [1708 ?]	171
180. Alexander Strachan to Mary Countess of Traquair, by express command of the Duchess of Gordon, accompanied with a curious recipe for the cure of the pleurisy from her Grace, for the benefit of Lord Linton, who was reported to be dangerously ill of that disease; and offering his own congratulations to her Ladyship on the auspicious occasion of the birth of her youngest son. 22d March 1710,	171
181. Mary Countess of Traquair to her mother, Lucie Countess of Nithsdale, intimating that the horses had been sent to bring home some of her children who were on a visit to her Ladyship, as she was afraid to allow them to stay longer from home on account of the advanced season of the year. Traquair, 7th September 1711,	172
182. Lady Lucie Stuart to [her grandmother, Lucie Countess Dowager of Nithsdale,] thanking	

- her for the many favours she had received from her; and informing her that her mother, the Countess of Nithsdale, was recovering pretty well after the birth of a daughter (Louisa). Traquair, 14th November 1711, 173
183. Father James Hudson, chaplain to the Earl and Countess of Nithsdale, to [Mary Countess of Traquair,] on the occasion of the death of the Countess Dowager of Nithsdale, her mother, expressing condolence with her Ladyship on account of the great loss she had sustained, and transmitting a kind message from the Countess Dowager (as requested by the latter before her death,) to the whole family at Traquair, and giving her Ladyship a detailed account of the circumstances attending her mother's death. 17th January 1713, 174
184. Lady Lucie Stuart to [her mother, Mary Countess of Traquair,] from a monastery in Paris, where she and her sister Lady Anne had been placed for their education, informing her Ladyship that the nuns were very kind to them, and that the only fault they had to the house was that they taught them nothing but embroidery, purse-making, etc., and that they must employ masters at great expense if they wished to learn anything else; but complaining of a want of kindness and civility from the other boarders (pensioners), and requesting that her Ladyship would obtain leave for them to return the visits which were paid to them by friends: also mentioning that she had been agreeably surprised by a visit from a son of Mr. Maxwell of Munches, etc. Paris, 19th November 1713, 176
185. Sister the Honourable Arabella Waldegrave de St. Paul to Mary Countess of Traquair, assuring her Ladyship of the sincere esteem and affection she entertained for her two daughters, Lucie and Anne, who had been recommended to her care by the Duchess of Perth, and whom it was impossible to know without having a true esteem and kindness for them. [*Circa*, 1713,] 177
186. Madame Crichton to Mary Countess of Traquair, giving her Ladyship an account of the sickness of her daughter the Lady Anne, and stating that though she was recovered it would be necessary that she should still be a little under the care of Doctor Magie, who had attended her in her illness; and informing her Ladyship that the expense of the maintenance of the two young ladies would amount to 1500 livres a year, besides clothes and masters. 10th February 1714, 178
187. The Same to the Same, acknowledging a letter received from her Ladyship, and assuring her that she would assist her two daughters to the utmost of her power; informing her Ladyship that Lady Lucie had been very ill of a bad cold and sore throat, which would necessitate the stay of the two young ladies where they were a little longer; that Lady Lucie was making a fine purse for the Earl, her father, and Lady Anne one for her Ladyship; and expressing her regret that she was under the necessity of going to Rouen for a month, which would remove her from the oversight of the young ladies. 16th April 1714, 180
188. Ladies Lucie and Anne Stuart to their mother, Mary Countess of Traquair, expressing the great satisfaction they had experienced at seeing their brothers in Paris, and their regret at the prospect of having so soon to leave that city for Scotland, especially as they were afraid her Ladyship would be disappointed with the extent of their attainments, and begging that they might be allowed to remain where they were till the following summer, that they might perfect themselves in painting and other parts of a liberal education. Paris, 23d April 1714, 181
189. Lady Lucie Stuart to her mother, Mary Countess of Traquair, informing her Ladyship that owing

- to her having been ill of a fever at the end of a quarter, she and her sister had not been able, as their mother had desired, to leave the monastery where they were for another, but that as she was now perfectly recovered, they would remove as soon as Madame Criehton returned from Rouen; that they had received the 1000 livres sent to them by her Ladyship; and that they had not yet seen Colonel Rattray's lady and daughter, nor Lord Selkirk, but that they frequently saw Mr. Basil Hamilton. Paris, 1st May 1714, 183
190. The Same to the Same, expressing her happiness at having received her Ladyship's permission to stay in Paris till the following summer; intimating that it had been necessary for them to get black dresses on account of the Duke of Berri's death, etc. [May 1714,]..... 184
191. Lady Anne Stuart to [her mother, Mary Countess of Traquair,] wherein she expresses her satisfaction that the Countess had abandoned her intention of removing them to another monastery, on Mrs. Waldegrave's account, and her gratitude for the great expense the Earl, her father, and her Ladyship were pleased to bestow on their education, etc. 16th May 1714, 186
192. Sister the Honourable Arabella Waldegrave to [Mary Countess of Traquair,] thanking her Ladyship for continuing her daughters in the monastery of which she was superior, on her account, and assuring her Ladyship that she would do all in her power for their improvement. 18th May 1714, 188
193. William fifth Earl of Nithsdale to [Major Maxwell at Terregles?] informing him of his arrival at Traquair, and requesting that he would visit him there. Traquair, 21st May 1714, 188
194. Madame Criehton to Mary Countess of Traquair, wherein she alludes to the removal of her Ladyship's daughters from the monastery at the "Orselins," on account of the changes consequent on the election of a new Lady Superior; and mentions that the Duke of Richelieu's daughter was lady of the house when they were there, etc. 31st July 1714,..... 189
195. Lady Lueie Stuart to [her mother, Mary Countess of Traquair,] explaining the reason of their having left the monastery of the Ursulines; stating that they had visited the Duchess of Perth, and had been very kindly received by her; and that they frequently saw Mr. Basil Hamilton; detailing also the expense of maintaining themselves in Paris. 9th August 1714, 191
196. The Same to the Same, regretting the loss they had sustained in having removed from the monastery of their friend, Mrs. Waldegrave; stating that they were greatly disappointed with respect to their new abode, for they saw no good society there; and giving her Ladyship an account of their progress, and of the expenses connected with their education, etc. Paris, 23d September 1714, 194
197. Lady Lueie Stuart to [James Carnegie, Edinburgh,] expressing her sense of his friendship for herself and her sister, and entreating him to intercede with their parents that they might be removed from the monastery where they then were to one more suitable, as they saw no good society there, and learned very little that was useful; and suggesting the monastery of the Augustines as the best. Paris, 23d September 1714, 195
198. Lady Lueie Stuart to her mother, Mary Countess of Traquair, intimating that she and her sister had removed to an English monastery without waiting for her Ladyship's approval of the step, since it had met the approbation of Mr. Innes; and that they were highly delighted with their new abode; and requesting that she (the Countess) would write to the Lady

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Superior, and to one of the nuns, a Miss Howard, who had been extremely kind to them. Paris, 23d October 1714,.....	197
199. Madame Crichton to Mr. Carnegy, at Edinburgh, wherein, referring to the change which the Ladies Lucie and Anne Stuart had made of their place of education, she expresses her surprise and mortification at the step they had taken, and at their having kept their intention secret from her until the change had been effected; and informs him that she had written to Lady Traquair upon the subject. 18th November 1714,	198
200. Madame Crichton to Mary Countess of Traquair, wherein, apologizing for her delay in writing to her Ladyship, and assigning illness as the cause, she dwells at length on the removal of the young ladies, her daughters, from the monastery to which she had at first recommended them, and complains that they had removed without making her aware of their intention; but gives her Ladyship a very favourable account of their progress in the various branches of education to which their attention was directed. 18th November 1714,	200
201. Mary [Gordon] Duchess of Perth to Mary Countess of Traquair, informing her Ladyship that her two daughters were extremely improved during the short time they had been in Paris, suggesting that they should be allowed to remain there another year, and mentioning that she had introduced them to Mary Queen of James VII. [St. Germain's,] 4th January 1715,	202
202. The Same to [the Same,] wherein she mentions that her Ladyship's son, John, was in perfect health, and was making great progress in his education, and that he was desirous to be allowed a little longer time for "his riding," even although Lord Linton, who was with him, should return home alone. 17th August [1715?]......	202
203. William fifth Earl of Nithsdale to William Veitch, writer in Edinburgh, expressing his dissatisfaction with the terms of a memorandum sent to him by the latter, relative to the future management of his estate, which was then heavily burdened, and the application of the rental thereof, etc. Terregles, 10th January 1715,	203
204. Charles fourth Earl of Traquair to William fifth Earl of Nithsdale, wherein, referring to the objections urged by the latter against the memorandum mentioned in the preceding letter, he considers them not insuperable; but expresses a fear that Mr. Maxwell of Munches, who was therein named joint trustee with him, would not accept the trust, for fear of giving offence to his Lordship's other friends. Traquair, 19th January 1715,.....	205
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205. Lady Lucie Stuart to her mother, Mary Countess of Traquair, wherein she states the reasons that induced herself and her sister to remove from the monastery of the Ursulines, which had given offence to Madame Crichton, and expresses a hope that her Ladyship would not blame them for the step they had taken; mentions that Lady Seaforth was formerly a boarder in the monastery where they then were. Paris, 5th February 1715,	206
206. Charles fourth Earl of Traquair to [Winifred Countess of Nithsdale,] wherein he expresses his surprise to find, from her Ladyship's letter to him, that he was charged with being the ruin of her Ladyship's family at that time; defends himself from the charge, and explains the	

course followed by him and Mr. Maxwell of Munches, as joint trustees for the management of the Nithsdale estates. Traquair, 15th March 1715,	Page 208
207. Charles Lord Linton to his mother, Mary Countess of Traquair, giving her Ladyship an account of what he and his brother had seen of Loudon when passing through it on their way to Paris; stating that they had found everything expensive at Dover; and promising that he or his brother would write to her immediately on arriving at Paris. Calais, 1st April 1715,.....	209
208. The Honourable John Stuart to [his mother, Mary Countess of Traquair,] wherein he mentions that at Calais he had met with the Earl of Errol, who had been very kind to him and his brother; and that they had safely arrived at Paris, and had found their sisters in good health. Paris, 17th April 1715,	210
209. Lady Lucie Stuart to her mother, Mary Countess of Traquair, observing that as her Ladyship was very desirous of her and her sister's coming home, she felt herself obliged to inform her that she had some thoughts of settling for life in the monastery where they then were, and requesting that her Ladyship would grant her time for consideration before coming to a final resolution upon so important a matter. [Paris, 8th May 1715,]	211
210. Winifred Countess of Nithsdale to [Mary Countess of Traquair,] wherein she alludes to the very delicate state of her health, and mentions that her infant daughter had been alarmingly ill of teething, but was now getting better. Terregles, 21st July [1715,].....	212
211. Winifred Countess of Nithsdale to Charles fourth Earl of Traquair, expressing her gratitude to his Lordship for the kindness he had shown to her; intimating that, in accordance with his Lordship's advice, she had dismissed all her servants, except the grieve and the dairy-maid, and that Mr. Maxwell of Carruchan was to "oversee the grieve;" mentioning also that Lord Nithsdale, her husband, expected soon to be a close prisoner. Terregles, 9th [December 1715,]	213
212. Winifred Countess of Nithsdale to Mary Countess of Traquair, intimating that she had safely arrived at Newcastle, on her way to join the Earl, her husband, but would be forced to proceed on horseback to York, as she could get no accommodation in a conveyance; and expressing her obligations to Mr. Liudsay for his care of herself, and his solicitude about her daughter's journey. Newcastle, 15th December [1715,]	214
213. The Same to the Same, stating that she would require to travel on horseback from Stamford to London, it being impossible for the coach to proceed farther, as the ground was covered with deep snow, and expressing her happiness that she had left her infant daughter with her Ladyship. Stamford, 25th December [1715.] [Lithographed,]	214
214. Charles Lord Linton to [his mother, Mary Countess of Traquair,] attributing his long silence to the severity of the weather, which was such as to prevent communication between France and England for three or four weeks, and expressing his hearty regret that so many of his good friends and acquaintances had had the misfortune to be engaged in "that affair of Preston," and his joy that "Mr. Young" (the Earl of Traquair) was not there. Paris, 1st February 1716,.....	215
215. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she alludes to a severe illness, from which she was still suffering; mentions that it was supposed that sentence would be pronounced against the Earl of Nithsdale, her husband, and others implicated, in a few days;	

- expresses her lively gratitude to Lady Traquair for the extraordinary kindness she was showing to her little daughter; and informs her that she had that day ventured out to see a friend, (her husband,) whom she was sometimes by favour permitted to see. London, 4th February [1716,] 217
216. The Same to the Same, wherein, alluding to her husband's imprisonment in the Tower of London, she states that she had found means to deliver a petition from him to the King; and that if she should not be permitted to remain with him during the night, she intended to rent a chamber hard by the Tower, go to him every morning, and remain with him all day, and lose no opportunity of being serviceable to him. London, 18th February [1716,] 218
217. The Rev. J. Scott to Mary Countess of Traquair, wherein he informs her Ladyship that the six Lords who pleaded guilty (among whom was the Earl of Nithsdale) had been sentenced to death, that the warrant for their execution was signed, and that their sentence was to be carried into effect on the Friday following; that, in the trying circumstances in which he was placed, the Earl of Nithsdale had exhibited "angelical resignation" to the will of God, and had received the holy communion almost every day since the sentence was pronounced; alludes to the strenuous and persevering efforts which had been put forth by his Countess on his behalf; and states that the whole city was applauding her conduct, and that she was to petition both Houses of Parliament for a reprieve. 21st February 1715-16,..... 219
218. William Earl of Nithsdale to Charles Earl of Traquair and his Countess, on the second day before that fixed for his execution, wherein he expresses his gratitude to them for their many favours, and their generosity towards him in his hard circumstances; informs them that in a holograph will which he had made he had left his dear children to their tuition, and earnestly begs of them to accept the trust, and to transfer their affection for him to his Countess, who had given him such remarkable proofs of her love. From the Tower, 22d February 1716,... 221
219. Winifred Countess of Nithsdale to [the Lady Lucy Herbert,] wherein, in accordance with the request of the latter, her Ladyship gives a detailed account of the circumstances attending the Earl her husband's escape from the Tower, on the eve of his intended execution. [16th April 1718.] Two extracts of this letter are lithographed,..... 222
220. Charles Lord Linton to his mother, Mary Countess of Traquair, wherein he expresses his grief to hear of the dismal condition of this country, occasioned by civil broils and the destitution consequent upon the extreme severity of the preceding winter; mentions that his uncle, the Earl of Nithsdale, after his life had been despaired of by all, was perfectly recovered, and was then in Paris, in the same lodging with his nephews. [Paris,] 25th March 1716,..... 234
221. William Earl of Nithsdale to [Charles Earl of Traquair,] wherein he expresses his sense of his Lordship's uncommon affection towards him; informs him that he had several times seen the Earl of Traquair's two sons in Paris, and that they both surpassed even the high expectations which he (the writer) had formed of them, etc. Paris, 24th April 1716, 235
222. Charles Lord Linton to his mother, Mary Countess of Traquair, giving her an account of the health of his uncle, the Earl of Nithsdale; informing her that during his stay in Paris he frequently visited the Queen, Mary of Modena, (of whom he speaks under a fictitious name,) and that he had left Paris to pay a visit to her son, the Chevalier James III., (who is also mentioned under a fictitious name;) concludes by giving his mother an account of the progress he and his brother were making in their studies. [Paris,] 6th May 1716, 236
223. Winifred Countess of Nithsdale to Major Maxwell at Terregles, authorizing him to settle some

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bills due by the Earl, her husband, from the proceeds of sales of wood on the estate, and calling his attention to a doubtful item in one of the bills. 6th May 1716,.....	239
224. The Same to the Same, begging that he would take all possible care about selling her things as soon as possible, for she found that her stay at Traquair must be very short, and she would be much straitened for money; mentioning, particularly, what articles of furniture she desired to be sent to her; urging him to convert everything else into cash, if possible, and with the utmost despatch; and entreating him to take care of the horses, and prevent them from being seized, as she would want them soon. Traquair, 18th May [1716,]	239
225. Winifred Countess of Nithsdale to Major Maxwell at Terregles, giving him further directions relative to the disposal of the furniture, crops, etc., and repeating her injunctions as to the care of the horses, that they might be able for the journey which her Ladyship was about to take. Traquair, 22d May [1716,]	241
226. The Same to the Same, thanking him for all the trouble he had taken respecting the sale of her property, and requesting him to go on with the disposal of what yet remained unsold; expressing her disappointment, however, that the cows had brought so small a sum, etc. Traquair, 28th May [1716,]	242
227. Ma[rion] Irving to [Winifred Countess of Nithsdale,] intimating to her Ladyship that the greater part of the furniture, etc., had now been disposed of; wishing her a happy meeting with the Earl, her husband, whose greatest felicity, she states, it would be "to meet with his dear preserver." Terregles, 15th June 1716,	243
228. Winifred Countess of Nithsdale to Mary Countess of Traquair, intimating that she had arrived in London in safety, and had found there two letters from the Earl, her husband, in which he strongly recommended her to come to Paris to him with all possible haste, otherwise he would undergo the risk of coming to see her; and quoting from these letters what his Lordship wrote as to his obligations to the Earl and Countess of Traquair, for their generous friendship to himself and his family under their misfortunes. London, 3d June [July] [1716,]	244
229. The Same to the Same, informing her that she was on the point of embarking, and enclosing the account of some purchases she had made for the latter. London, 19th July [1716,].....	247
230. Mrs. Evans (subscribing "Ev. Powell") to Mary Countess of Traquair, written from Sluys, by command of Lady Nithsdale, who was so ill after her voyage thither as to be obliged to disembark at that port instead of proceeding to Bruges, which was only three hours' sail beyond; informing her that she had sent an express to Lady Lucie Herbert, intimating to her the arrival of her sister, the Countess, and her condition, and that Lady Lucy had despatched a lay sister to them with all necessaries. Sluys, 28th June [July] Old Style [1716,]	247
231. Winifred Countess of Nithsdale to Mary Countess of Traquair, referring to her illness on her voyage from London to Sluys; stating that she had received letters from the Earl, her husband, in which he recommended that she should "try for her jointure," and that she intended to do this as soon as Parliament sat. Bruges, 22d August [1716,]	249
232. William Earl of Nithsdale to his sister, Mary Countess of Traquair, wherein he attributes his long delay in writing to the illness of his Countess, acknowledges the obligations they owed to the Earl and Countess of Traquair, and desires to return thanks to Lady Lucie, his niece, for her present of a purse. Lisle, 16th October 1716,	251

233. Winifred Countess of Nithsdale to Mary Countess of Traquair, giving her Ladyship a detailed account of the difficulties in which she and the Earl were then placed as to their pecuniary resources; telling her that she had made application to her Mistress, Queen Mary, but found that she and her son were in similar difficulties, and could not assist them at that time; that she had no hopes of getting anything out of England, etc. Paris, 29th February [1717,] ... 251
234. The Same to the Same, expressing her deep regret that the latter had received none of four letters which she had written to her; stating that she and the Earl her husband were well, and that their Master (King James) had quitted France six or seven weeks before; and expressing a hope that they might all meet again under joyful circumstances. [La Flèche,] 28th March [1717,] 254
235. Charles Lord Linton, afterwards fifth Earl of Traquair, to his mother, Mary Countess of Traquair, wherein he refers to a severe indisposition from which he was just recovering; states that, in the opinion of friends, he was now sufficiently accomplished in riding and fencing; that he was desirous to set out upon a tour of France and Italy previous to his return home; and that he was eagerly looking forward to the time when he would enjoy the happiness of seeing her Ladyship and his father again. Paris, 12th May 1717, 255
236. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she states that she had delayed writing in the hope of being able to announce to her Ladyship the perfect recovery of her son, Lord Linton, who had been ill of measles; congratulates her on the happiness of having such a son, who possessed all the good qualities that could be desired in a young man of his age; mentions that the Earl her husband was well, but that he had recently made a very narrow escape from shipwreck, and that he was now with his Master. La Flèche, 10th June [1717,] 256
237. The Same to the Same, thanking her for a letter delivered personally by Lord Linton; stating that Lord Nithsdale was in good health, but that he complained of the inconvenience of living where he was, and that he was resolved to leave his Master (King James); suggesting that Lady Traquair should write to him, to dissuade him from carrying that resolution into effect; and quoting at length from the Earl's letters to herself, that the Countess of Traquair might have a more accurate idea of how matters stood with him. 1st September [1717,] 258
238. The Honourable John Stuart to Mary Countess of Traquair, his mother, wherein he informs her Ladyship that he was settled in the College of Plessis, in Paris, for his education; that he had been very much inclined to go to Angers, but had found upon inquiry that it was both expensive and also dangerous, on account of the bad company to be met with there; and that he expected to have time to study law and mathematics, besides philosophy. Paris, 2d October 1717, 262
239. Winifred Countess of Nithsdale to Mary Countess of Traquair, intimating that her long delay in writing was occasioned by a desire to give her Ladyship an account of her brother, the Earl of Nithsdale's health and circumstances; stating that she did not doubt her Ladyship's letter to him would have the effect of reconciling him to remain where he was, in the service of his Master, King James; quoting from his last letters to her to show how he was situated, etc. 14th November [1717,] 264
240. The Same to the Same, wherein, after wishing her Ladyship and her husband and family all happiness and prosperity, and acknowledging the many obligations under which their kindness

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| had laid her, she informs her Ladyship that Lord Nithsdale was well, but still entertaining thoughts of leaving the service of his Master in the spring; and suggests that her Ladyship and Lord Traquair should embrace every opportunity in their letters to dissuade him from leaving his present situation. 1st January [1718,] | 267 |
| 241. Father James Gordon, S. J., to Mary Countess of Traquair, wherein he intimates that present circumstances threaten no small danger to the Earl and Countess of Nithsdale, and recommends her Ladyship to follow the course which he had adopted, with a view to avert the danger that threatened, namely, the celebration of masses, etc., and all with a certain trust and confidence in the infinite bounty of God. Edinburgh, 22d February 1718, | 269 |
| 242. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein, after alluding to an illness from which she had just recovered, she warmly thanks her Ladyship for the care she had taken of her son's business; requests her to direct Major Maxwell to attend to the mansion-house of Terregles, by airing and firing the rooms, etc.; alludes to a report current as to the marriage of King James with the Duchess of Courland; and promises to give in her next letter a full account of the plans and prospects of the Earl her husband, who was still with the King. 1st May [1718,] | 270 |
| 243. Mr. James Carnegie to Mary Countess of Traquair, regretting that Lady Clanranald, with whom Lady Mary, the Countess's daughter, was staying for her education, was obliged to go to the Highlands, and suggesting that her Ladyship should call Lady Mary home till Lady Clanranald's return. Alludes to the death of the Queen of James II., Mary of Modena, and gives an account of her last illness, and some of the provisions of her testament. Edinburgh, 21st May 1718, | 271 |
| 244. Charles Lord Linton to his mother, Mary Countess of Traquair, wherein he expresses his happiness at hearing from her that the Countess of Nithsdale was well, and states that he delivered to the Earl of Nithsdale the commission with which she had entrusted him, and that his Lordship was quite well; mentions that Lord Edward Drummond had been very ill of an ague, but was now recovered; and states that if her Ladyship and Lord Traquair approve, he intends to remain at Rome till the end of August. Rome, 22d June [1718?] | 274 |
| 245. Winifred Countess of Nithsdale to Mary Countess of Traquair, enclosing a letter for Mr. Maxwell of Munches, upon the subject of her liferent, for which he had desired that she should put in a claim, and stating that she intended also to recommend her son's business to the Judges as soon as she knew who they were; informing her Ladyship that her husband, the Earl of Nithsdale, was now fully resolved not to leave his Master, and that the latter had expressed a desire to have her also in his family after his marriage; expressing her sense of the great loss she had sustained in the death of the Queen (Mary), her Mistress, and quoting from the Earl's letter to her on the death of her Majesty, in which he urged her to lose no time in joining him, that she might be in readiness for his Master's service. 28th June [1718,] | 275 |
| 246. The Same to [the Same,] referring to her Ladyship's answer to the foregoing letter, and expressing her belief that the claim she had put in for her liferent would not prove successful, as the Government was so inveterate against the Nithsdale family; indicating that they were still in straitened circumstances; hoping that her intended journey to Italy to join her young master's household would tend to the re-establishment of their family; and thanking her Ladyship for continued favours. Paris, 6th August [1718,] | 279 |

247. Father James Hudson to [Mary Countess of Traquair,] enclosing the substance of two letters he had received from Lady Nithsdale on the subject of her journey to her young master, and the prospect she had of a favourable reception; presenting to her Ladyship and Lord Traquair the Lady Kirkconnell's respects and thanks for service they had rendered her relative to a claim for money due to her; and stating that he intended to look out and send some pieces (pamphlets) for Lord Traquair's entertainment. [September 1718,]..... 281
248. The Rev. George Gordon, Principal of the Scotch College, Paris, to Mary Countess of Traquair, giving her Ladyship a very favourable account of the progress which her son, Mr. John, was making in his studies (mathematics, physics, and law); expressing his opinion that Lord Linton would not leave Rome till after the King's marriage; and requesting to know what he should do after having accompanied Mr. John, his pupil, to "Nancy" (Nantes), that he might regulate his affairs at Paris accordingly. Paris, 19th October 1718,..... 283
249. The Honourable John Stuart to his mother, Mary Countess of Traquair, informing her that he was at Brussels on his way to Nantes to meet his brother, Lord Liuton, and that he had received civilities from Lord Ailesbury and Lord Falkland, who were then living there. Brussels, 5th December 1718,..... 285
250. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she states that she had hoped to be able to give her agreeable news concerning herself and the Earl of Nithsdale, but was disappointed, as they were still in the same situation,—living upon hopes, without which the heart would break, but with little expectation that their hopes would be realized; that the Earl had been unable to maintain himself upon the income allowed him by the King; and that she herself, contrary to the expectations she had been led to form, was kept at a distance from the royal household, and could not obtain admission into it; indicates that the Earl would probably write home for a supply of money soon; and expresses a hope that their creditors in Scotland were getting their claims satisfied from the reuts of the estates. 3d January [1719?] 285
251. The Same to the Same, wherein she states that she had been for some time indisposed from a giddiness in the head, which rendered her incapable of any sort of application; expresses her concern at hearing that her dear nieces had all been so ill, and her hopes that the illness would contribute to their better health afterwards; desires her thanks to be communicated to Lord Traquair for giving his good advice in her husband's affairs; and alludes to the report of the approaching marriage of King James. 6th February [1719,] 288
252. Mary Countess Dowager Marischal to Mary Countess of Traquair, wherein she states that she was charmed with Lady Mary Stuart, her Ladyship's daughter, and was confident that every one would admire her when she made her first appearance at an Assembly in Edinburgh, in the course of the following week; and that Lady Katherine was the "prettiest behaved lady" of her age in town. 12th January 1719,..... 290
253. The Same to the Same, in which she expresses her desire to be of service to the young ladies, her Ladyship's daughters, but fears that she had disappointed them a little in not approving of their going to the Assembly in time of Lent. 20th March [1719,] 291
254. The Same to [the Same,] wherein she intimates that her misfortunes were greater than her fortitude could bear; thanks her Ladyship for having permitted Lady Lucie to go north

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| with her last year ; states that she intended to return to the country soon, and begs that Lady Mary might be allowed to accompany her. 11th April [1719,] | 291 |
| 255. The Same to [the Same,] thanking her Ladyship for having consented to allow the Lady Mary, her daughter, to accompany her on a visit to her country seat, for which she intended to set out in a week or ten days ; and expressing a hope that she might have the honour of a visit from Lady Lucie before she left town, as she had a grievance to communicate to her. Edinburgh, 24th April [1719 ?] | 292 |
| 256. The Same to [the Same,] informing her Ladyship that a letter, purporting to be from the writer's son, James, directed to the Earl of Traquair, and stating that the King's service required the Earl's assistance at that time, had been given to Mrs. Gordon to be delivered to the Earl, which letter the Lady Marischal believed to be a forgery ; and desiring Lady Traquair to make what use of her letter she pleased for his Lordship's safety. 16th May [1719 ?] | 293 |
| 257. Winifred Countess of Nithsdale to Mary Countess of Traquair, acquainting her that her young Mistress (the Princess Clementina, wife of James III.) who had come home the night preceding, was one of the most charming young ladies she had ever seen ; and stating that her Master could not but be extremely happy in her, and also all who had the good fortune to have any dependence on her. 17th May [1719], | 294 |
| 258. Mrs. Mary Lindsay to Mary Countess of Traquair, wherein she informs her Ladyship that she had written to her Mistress informing her of her Ladyship's anxiety concerning her daughter, the Lady Ann Maxwell ; that Lady Carrington was going on a tour of France with her niece, Lady Mary Herbert ; and that the writer and Lady Ann saw Lord Linton and his brother often, and on one occasion borrowed his Lordship's coach in which to make Lady Ann's visits. Paris, 20th May 1719, | 295 |
| 259. Charles Lord Linton to Mary Countess of Traquair, in reply to one from her Ladyship complaining of his negligence in respect to writing to her, wherein he assures her that one of his letters must have miscarried ; begs pardon of her Ladyship and the Earl, his father, and expresses his heartfelt grief for having offended the best of parents ; states that he had remained at Paris two months longer than he intended, at the request of the Duke of Queensberry, that they might return to England together ; and that Sir George Maxwell, the old Lady Seaforth, and the Duke of Hamilton, had all been very kind to him. London, 12th September 1719, | 297 |
| 260. William fifth Earl of Nithsdale to Mary Countess of Traquair, acknowledging with gratitude the kindness of her Ladyship and Lord Traquair, in forwarding a supply of money to him ; alluding to several mortifications to which he had been recently subjected, from which, however, he expected soon to be freed ; and requesting to be informed of a sure way to send letters home. 13th September 1719, | 298 |
| 261. Charles Lord Linton to his mother, Mary Countess of Traquair, gratefully acknowledging a letter from her, in which she expressed the earnest desire of Lord Traquair and herself to see him and his brother home ; and intimating that he had presented her Ladyship's acknowledgments to Sir George Maxwell for his great kindness to him. 21st September 1719, | 299 |
| 262. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she states that she had delayed writing an answer to her Ladyship's letter in hopes of being able to communicate a | |

- change for the better in her own particular affairs, but that there was still no prospect of such a change; enters into details relative to the movements of the King and Queen, mentioning that the persons about his Majesty were daily diminishing in numbers; and complains of the extravagant habits of the Earl, her husband, in not limiting his expenditure to his resources, etc. 10th October [1719?]. 301
263. Mary Countess Dowager Marischal to [Mary Countess of Traquair,] wherein she apologizes for having delayed to offer her congratulations to her Ladyship upon the return of Lord Linton and his brother John from the continent; and expresses the regret she had experienced at parting with Lady Mary and Lady Katherine, her Ladyship's daughters, who had been on a visit to her. 21st November [1719?] 305
264. The Same to [the Same,] wherein she states that her Ladyship's daughters were making great progress in their education; and that she had informed Lord Linton that she hoped to be able to pay a visit to her Ladyship when the days were longer. 22d December [1719?] 306
265. The Same to [the Same,] wherein she expresses her obligations to her Ladyship, and her joyful anticipation of the pleasure of soon seeing her in Edinburgh; alludes to the delicate health of her daughter, Lady Mary Keith, Countess of Wigtoun, but states that Lady Garlies and the rest of her family were well; and refers to the marriage of John Scott of Harden with Lady Jean Erskine, daughter of the Earl of Kellie. Edinburgh, 26th January 1720, 306
266. Winifred Countess of Nithsdale to her sister-in-law, Mary Countess of Traquair, wherein she informs her Ladyship of the prospect there was of the birth of an heir to her Master and Mistress; and alludes to the mortifications to which she was daily subjected in their Court, and to the probability that she and the Earl, her husband, would soon remove to a distance from it. 9th March [1720], 307
267. The Same to the Same, wherein she states that an attack of pleurisy had prevented her from sooner returning thanks for a letter received from her Ladyship; refers to what she had formerly written about her husband's conduct and difficulties with respect to pecuniary matters, and expresses regret that her motives in so writing had been misunderstood; alludes with gratitude to the favours she and the Earl had received from Lord and Lady Traquair, and to the kindness shown to their son by Sir George Maxwell, etc. 19th March [1720,] 308
268. Mary Viscountess Dowager Montagu, sister of Winifred Countess of Nithsdale, to [Mary Countess of Traquair,] wherein she alludes to the settlement of Sir George Maxwell of Orchardton, as being very unjust both to herself (the Viscountess) and to Lord Maxwell, her Ladyship's nephew, and that in consequence she would be under the necessity of retiring into a monastery. London, 20th April 1720, 311
269. Elizabeth [Howard,] Duchess Dowager of Gordon, to [Mary Countess of Traquair,] enclosing a letter from Lady Montagu, in which that Lady requested to be informed of certain particulars concerning Lord Maxwell; desiring to know her Ladyship's commands thereanent, that she might communicate with Lady Montague on the subject; and alluding to the death of the Duke of Perth at Paris. Edinburgh, 13th May 1720, 311
270. Winifred Countess of Nithsdale to her sister-in-law, Mary Countess of Traquair, wherein she alludes to the fact that Sir George Maxwell had done nothing for Lord Maxwell, her son, and that he had left a will in favour of one Mungo Maxwell, a cousin of his own; but that,

- notwithstanding the will, Captain Butler, the heir-at-law, had put in a claim for the estate; enters into detail respecting the affairs of the Earl, her husband; and assures her that, notwithstanding the mortifications she suffered at the Court of James III., she would not remove from it unless constrained by her husband, as she could not think it would be for his family's good. 9th and 16th July 1720, 313
271. The Lady Lucie Stuart to her mother, Mary Countess of Traquair, from Fetteresso, wherein she mentions the day on which the Dowager Lady Marischal, with whom she was living, was to leave Fetteresso for Edinburgh, and requests that her Ladyship would send a horse for her. Fetteresso, 8th August 1720, 316
272. William Earl of Nithsdale to his sister, Mary Countess of Traquair, intimating that matters stood much the same with him and his Countess as when the latter gave her Ladyship an account of them, but that he had some hopes of an improvement in his circumstances after the confinement of the Queen (Clementina), on which occasion the King intended to have all the "best quality in the place" present; and begging that her Ladyship would prevail on Lord Traquair to send him a bill for £50, which sum, he suggests, might be got out of the estate. 12th November 1720, 317
273. Winifred Countess of Nithsdale to Mary Countess of Traquair, complaining that she had not for a long time been favoured with a letter from her Ladyship; stating that she would write more frequently to her Ladyship, but that she had no news to communicate; and requesting her not to believe a report current that she (Lady Nithsdale) was pregnant. 19th November [1720,] 318
274. William fifth Earl of Nithsdale, under the assumed name of William Broun, to Mary Countess of Traquair, intimating that he had been obliged to draw a bill for £50, payable to Mr. Bellon's order, and begging her Ladyship to use her interest to get it duly answered. 11th December 1720, 320
275. Jean Duchess of Perth to [Mary Countess of Traquair,] wherein she pleads the melancholy state in which she had been as her apology for delaying so long to acknowledge her Ladyship's letter of condolence upon the occasion of the death of the Duke, her husband; expresses the satisfaction she had in the society of her Ladyship's daughter, Lady Ann Stuart, who was on a visit to her at Stobhall, and begging that she might be permitted to remain with her till her Ladyship came to Edinburgh. Stobhall, 11th January 1721, 320
276. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein, after referring to her Mistress having been safely delivered of a son, (both of whom were doing well,) she intimates that she did not now intend to leave the service of her Mistress, as she thought her staying would be for the good of her family; states that she believed the mortgage over a portion of the Terregles estate had expired, but that she did not desire to apply any of the rents otherwise than to the extinction of just debts; mentions that she had had the happiness to procure a suit of apparel from a cardinal who got it from the Pope, etc. 4th February [1721,] 321
277. William Earl of Nithsdale to his sister, Mary Countess of Traquair, requesting her Ladyship's assistance to obtain for him from Lord Traquair a loan of £50, which, without absolute necessity, he would not have asked, and stating that he will inform her in a few weeks of the motives that obliged him to draw upon his Lordship. 11th April [1721,] 323

278. Winifred Countess of Nithsdale to Mary Countess of Traquair, intimating that she had received her Ladyship's letter to her, which came, without superscription, under cover to Lord Kilsyth; that her health was much better; and that her Master and Mistress, and their young son, who was one of the finest children that could be seen of his age, were well; expressing regret on account of the frequent applications for money made by the Earl, her husband, to Lord Traquair, and declaring that she was in no respect responsible for his pecuniary difficulties; thanking her and the Earl of Traquair heartily, however, for their kindness in answering his applications; informing her that the Earl of Nithsdale had sent their son, Lord Maxwell, to England, having been advised that he would lose all pretensions to his estate unless he appeared there before the time allotted, and that their son had recommended himself to the protection of the Duke of Argyll. 15th April [1721,] 324
279. The Same to the Same, wherein she expresses the anxiety she always suffered when letters from her Ladyship were long delayed; alludes to the extremely good health enjoyed by her Master and Mistress, and by their young son, who was "every day growing more charming;" states that the information which Mr. Grant had given her Ladyship as to the orders he had received from the Earl of Nithsdale respecting his son's affairs was true, and that the Earl had not asked his Master's advice regarding the expediency of sending him to England. 9th September [1721,]..... 326
280. William Earl of Nithsdale to Mary Countess of Traquair, expressing his regret that her Ladyship did not approve of his having sent his son to England, and stating that, from her being at so great a distance, time did not permit of his waiting to receive her advice on the subject; and recommending him to her care and kindness during the short stay he might make in Scotland. 22d October 1721, 328
281. The Same to [the Same], wherein he expresses his hearty thanks to her Ladyship and Lord Traquair for their kindness to Lord Maxwell, his son, during his stay with them in Scotland; states that he and his Countess were "reduced to the last farthing;" and begs her to dispose of the few things that his Countess had left in their hands, and to remit the money to enable them to pay the debts they had incurred. 3d March 1722, 329
282. The Same to the Same, referring to the subject of the preceding letter, and earnestly begging that they would sell the furniture and remit the value thereof; intimating that they would probably soon come nearer to Scotland; and alluding to the bad health of his Master's child. 10th March 1722,..... 330
283. Winifred Countess of Nithsdale to Mary Countess of Traquair, informing her Ladyship of the necessitous condition to which she and Lord Nithsdale were reduced for money, and entreating her Ladyship by all means to get their furniture disposed of that they might be enabled to pay their debts. 24th March [1722,]..... 331
284. William Earl of Nithsdale to Mary Countess of Traquair, intimating that necessity had compelled him to draw a bill for £150 upon Lord Traquair, and that if it were not answered within twenty days he "must never show his head in that place," and entreating that she would prevail with his Lordship not to abandon him in that strait. 24th March [1722?] ... 332
285. The Same to [the Same,] begging her again, as he was reduced to the last extremity, to endeavour to influence Lord Traquair to honour his bill for £150, otherwise he would be infallibly ruined. 30th March 1722, 332

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286. Jean Gordon, Duchess of Perth to [Mary Countess of Traquair,] wherein she expresses a hope that the families of Perth and Traquair would soon be more nearly connected through the marriage of Lord John Drummond and Lady Mary Stuart, her Ladyship's eldest daughter, and states her belief that Lady Mary would, in that event, be the happiest wife in Britain, etc. [Stobhall, 1722,].....	333
287. The Same to [the Same,] expressing the great pleasure it had given her to know that her Ladyship was to accept of Lord John Drummond for a son-in-law, and begging that she would complete Lord John's happiness by joining Lady Mary Stuart's hand and his. Stobhall, 12th April 1722,	334
288. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she alludes to the extreme pecuniary difficulties to which they had been reduced, and states that unless her Ladyship would be so compassionate as to obtain Lord Traquair's credit for money till the furniture in their hands was sold, she and Lord Nithsdale would be undone, and could never more show their heads in the place where they were, and offers, should her Ladyship desire it, to explain to her in a future letter the cause of her husband's pecuniary difficulties; returns "infinite thanks" for the kindness she and Lord Traquair had shown to Lord Maxwell when he was in Scotland, and for their acknowledging in a letter to Lady Montagu, the writer's sister, that Lady's kindness and motherly care of him. 21st April [1722?]	335
289. The Lady Anne Maxwell to her aunt, Mary Countess of Traquair, acknowledging with gratitude a letter and present from her Ladyship; and expressing her obligations to her cousin, Lord Linton, and her desire to prove herself worthy of the great affection her aunt had ever shown her. 4th May 1722,	337
290. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she again expresses the obligations under which the Earl of Nithsdale and herself were to her Ladyship and Lord Traquair for their great kindness to Lord Maxwell, and for the trouble the Earl and Lord Linton had taken in his business, although their efforts had been attended with little success. The country, 19th May [1722,]	338
291. Lord John Drummond to Mary Countess of Traquair, wherein he expresses his gratitude to her Ladyship for the gift she had bestowed on him in Lady Mary Stuart, now his wife, in whom he daily discovered new merits, and his determination to show his sense of the value of the gift, by endeavouring to be a kind husband to her; mentions that they had visited Lady Marischal, who was much afflicted on account of the hopeless illness of her daughter, Lady Garlies. Edinburgh, 3d June 1722,	339
292. Lady Mary Drummond to [her mother, the Countess of Traquair,] informing her that the Duchess of Perth and Lady Mary had left Drummond Castle on the previous Saturday after her Grace had put everything about the house into order, and otherwise shown her very great kindness; and begging that her Ladyship would come to the Castle as soon as possible, etc. [Drummond Castle, June 1722?]	340
293. Jean [Gordon,] Duchess of Perth, to [Mary Countess of Traquair,] wherein she desires her Ladyship to offer her Grace's humble service to Lord Maxwell, and wish him good success in his affairs before the Parliament; and alludes to the hearty interest which Lord John Drummond was then taking in his Lordship's business. [Stobhall, 1722?].....	340
294. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she states that she	

received her Ladyship's letter a few days before she fell sick of a violent fever, which had prevented her from answering it sooner; alludes to the great expenses which the education of Lord Linton and his brothers and sisters entailed upon her Ladyship, and regrets that she is unable to relieve her of some of the outlay; mentions that she and Lord Nithsdale were boarded in the same establishment, at 200 "Bollonia livers" a month each, and that the latter was again getting into debt, but acquits herself of all blame on that account; states that her Mistress (the Princess Clementina, Queen of James III.) was in a monastery, and no one permitted to go in to her, but that she came out every day to take exercise, and then she (Lady Nithsdale) and other Scotch ladies attended her. iith July [1722?].

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295. The Same to the Same, expressing her gratitude to her Ladyship for having honoured the bill which Lord Nithsdale had drawn on Lord Traquair; praying that God Almighty would reward her a thousand times for her great goodness to him, and wishing that the difficulties in which his imprudence had involved him might prove a "warning to him not to put himself into the like circumstances again;" thanking her Ladyship for informing her of the match between Lord John Drummond and Lady Mary Stuart, and expressing a hope that her Ladyship's other daughters might also meet with suitable offers, etc. 21st July [1722,]
- 344
296. The Same to the Same, wherein she informs her Ladyship that she and all the family were well; that her Master and Mistress had left the "waters" a few days previously, and had gone to Lucca, where they were to remain for four days, and then go to the country till the end of the following month; and that their young son had now seven teeth, but had not yet commenced to walk, etc. 22d September [1722,]
- 346
297. The Same to the Same, wherein she expresses her gratitude for the pains that Lord Traquair and Lord Linton had taken in her son, Lord Maxwell's affairs, and attributes all his success to their efforts; states that she had taken all the care possible to get her friends to favour her son's appeal, which was lodged in Parliament, and mentions that he was then at Fontainebleau, with his aunt, who had promised to put him to the Academy in spring. 16th February [1723,]
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298. The Same to the Same, intimating that her Master and Mistress were well, and speaking of going soon to the country; that the young Master was thriving, and had cut two of his eye-teeth, and could now walk "very prettily;" mentioning that the Earl, her husband, would require £100 a year more than he had to enable him to continue in his Master's service; otherwise he must quit it, and thus be rendered incapable of ever doing anything on behalf of any of his friends; and begs that Lady Traquair would endeavour to find some means of raising that sum for him. 22d March [1723,]
- 349
299. William Earl of Nithsdale to Mary Countess of Traquair, wherein, alluding to the subject of the preceding letter, he suggests that her Ladyship should endeavour to get his creditors to allow him £100 a year out of the estate, that he might not be compelled to quit his Master's service, and thus lose the chance of ever being able to serve his friends; for, although his Master allowed him and Lady Nithsdale as much as any of their companions, yet it was insufficient to maintain them, and he could not allow them more. 14th April 1723,
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300. The Same to the Same, wherein, after referring to a letter he had received from her Ladyship, in which she expressed the mortification she felt at his being unable to maintain himself upon his income, he enters into detail respecting his expenditure; states that the King, his Master,

- had written a letter expressive of his desire that Lord Traquair would supply him (Lord Nithsdale) with 100 livres a year out of the estate; desires to know whether the estate was in the hands of the Government, or in the hands of the creditors, and in what manner the rents were applied; and concludes by assuring her Ladyship that, if his proposal were granted, he would be quite easy and entirely satisfied. 28th September 1723. Part of the King's letter referred to, dated 20th August 1723, is subjoined,..... 352
301. Mary Countess of Traquair to her brother, [William Earl of Nithsdale,] wherein she informs him that Lord Traquair had been dangerously ill, and not expected to recover, but that he was now again improving in strength; mentions that she had been surprised with a bill drawn upon her husband for £100, and had ordered it to be protested before his letter came to hand; complains of his conduct in having represented to the King that Lord Traquair withheld from him (Lord Nithsdale) sums of money belonging to him; and requests that he would remove this false impression from the King's mind. Edinburgh, January 1724,..... 353
302. William Earl of Nithsdale to the Viscountess Montagu, expressing his gratitude to her for her kindness to his son, Lord Maxwell, and enclosing a letter from the King, as a mark of his sincerity. Rome, 13th June 1724,..... 355
303. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she intimates that her Mistress had been safely delivered of "another brave boy," as fine a child as one could wish, which news she feels sure will make her letter welcome; expresses regret that her previous letters had miscarried; her sense of the kindness of Lord Traquair and her Ladyship to Lord Maxwell; and her satisfaction with the appointment of Mr. Maxwell of Carrochan to the management of his business. 7th March [1725,] 356
304. Christian Countess of Bute to Charles Earl of Traquair, wherein she acquaints his Lordship that she had discovered that her son, the Honourable John Stuart, was in love with Lady Catherine Stuart, the Earl's daughter, and requests that he and Lady Traquair would take their own way to ascertain whether the attachment was mutual, and acquaint her with the result. Edinburgh, 7th September 1725, 357
305. Dr. John Drummond to [Mr. William M'Iver?] informing him of the death of the Dowager Lady Marischal; that Lord John (Drummond) was present, and closed her Ladyship's eyes; and that she had, just before her death, executed a will disposing of her property equally between Lord John (Drummond) and Lord Garlies; giving also an account of her last illness. Edinburgh, 8th March 1729, 358
306. Lord Bellew to William Earl of Nithsdale, thanking him for returning a favourable answer to a proposal made on the writer's behalf for the hand of Lady Anne Maxwell, the Earl's daughter, and intimating that he would await the Earl's instructions with reference to that affair. Liege, 27th April 1731, 360
307. The Same to [the Same,] wherein he expresses his sincere and respectful acknowledgments to the Earl for having done him the honour of accepting his proposals for the hand of Lady Anne Maxwell, and his obligations to him for not insisting on his (the writer's) going to Rome at that time, which might have been prejudicial to him. Liege, 14th June 1731, 361
308. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she states that she had, for a considerable time, been expecting the good news of the conclusion of her son Lord

- Maxwell's marriage with Lady Catherine Stuart, his cousin, which was to have taken place on the 27th June preceding, his Lordship's birthday; and intimates to her Ladyship the marriage of her daughter Lady Anne Maxwell to Lord Bellew at Lucca, on 13th September. [Rome,] 2d October 1731, 361
309. Lady Barbara Stuart to [her sister, Lady Margaret Stuart,] upbraiding her for having allowed so long an interval to elapse without writing to her; and disallowing her apology of "sore eyes," inasmuch as she had corresponded with the Traquair family in the meantime. Drummond Castle, 18th December 1731, 362
310. Winifred Countess of Nithsdale to Mary Countess of Traquair, wherein she refers in terms of the highest satisfaction to the "new tie" by which they were now connected through the marriage of Lord Maxwell with the Lady Catherine Stuart, and expresses a hope that his Lordship would make her Ladyship's daughter happy; alludes also to the recent union of her daughter, Lady Anne Maxwell, to Lord Bellew, etc., etc. 30th January 1732, 363
311. The Lady Barbara Stuart to [the Lady Margaret Stuart], wherein she alludes to the death of Sir Laurence Oliphant of Gask, and that of Lady Condie, his daughter, soon after him, both of them sudden; and mentions that Drummond of Logiealmond and his lady were then on a visit at Drummond. Drummond, 28th April 1732, 364
312. Lord Bellew to his brother-in-law, William Lord Maxwell, wherein he expresses surprise at not having had from his Lordship an acknowledgment of the intimation sent to him by his sister, Lady Anne Maxwell, of her marriage; and desires that he would inform him in what manner, and when, he intended to pay his sister's portion, as he (Lord Bellew) was in considerable distress for want of money, and had been obliged to draw on him for £300. Rome, 20th July 1732, 365
313. Winifred Countess of Nithsdale to [Mary Countess of Traquair,] wherein she expresses her great joy at the near prospect of issue of the marriage between Lord Maxwell and her Ladyship's daughter, the Lady Catherine Stuart; intimates that her daughter, Lady Bellew, would probably become a mother about the same time, thus making her a grandmother on both sides at once; and states that she is longing to hear that Lord Liuton has got a good wife. 10th December 1732, 366
314. Father James Hudson, S.J., to Mary Countess of Traquair, wherein he begs that her Ladyship would offer prayers and use other means, which he suggests, with a view to secure success to the cause of the Earl and Countess of Nithsdale, and would engage her family to join in the same good work, as he (the writer) expected relief only through the use of such means. Edinburgh, 1st August 1733, 367
315. William Lord Maxwell to [the Earl of Traquair,] wherein he alludes to an intention to sell part of the Nithsdale property; mentions that he had found in the charter-chest evidence that the Cluden Mills are the mills of the barony of Holywood; urges his Lordship to endeavour to get the question as to the right of culture of these mills settled as speedily as possible; intimates that a bond of tailie by Sir George Maxwell, as to his Scotch estates, in favour of the writer, had been found in the charter-chest, etc. Terregles, 2d June 1738, 368
316. Winifred Countess of Nithsdale to [Mary Countess of Traquair,] wherein she pleads to be excused for having so seldom written to her Ladyship, on the ground of her great troubles and

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| the illnesses occasioned by them; encloses a letter relative to a claim for £50 made on her by John Alves, a friend of Lord Maxwell, and entreats her Ladyship to ascertain whether the sum in question was not paid by Lord Maxwell. 29th January 1739, | 369 |
| 317. Copy [Holograph of Winifred Countess of Nithsdale] of John Alves' letter above referred to, wherein he requests his correspondent to use his influence with Lord Nithsdale in order to obtain the admission and settlement of his claim. [Circa January 1739,] | 371 |
| 318. George second Earl of Dumbarton to [Mary Countess of Traquair,] begging her Ladyship to oblige him with £40, as he was reduced to great straits, and was in want of "several things necessary in human life;" and concludes with invoking blessings on her Ladyship both for this life and the next. Ruisseauville, 14th June, N.S., 1741, | 372 |
| 319. Grizell Baillie, daughter of George Baillie of Jerviswoode and Lady Grizell Hume, his wife, to [Mary Countess of Traquair,] written at her mother's request, begging that her Ladyship would excuse them (the Baillies) to Lord Traquair for their intention of calling Mr. Dunearn from his church in her Ladyship's neighbourhood to become minister of a church near Millerstain. Millerstain, 1st June 1743, | 373 |
| 320. Lady Mary Maxwell to Mary Countess of Traquair, wherein she presents her own and her sister's humble duty to her Ladyship, and also to Lord John Drummond and his sisters, Lady Mary and Lady Barbara Drummond, and to the Duke and Duchess of Perth. York, 17th November 1743, | 373 |
| 321. The Honourable Christian Stuart to [her mother-in-law, Mary Countess of Traquair,] wherein she makes grateful acknowledgments to her Ladyship for the kindness she had shown to her when on a visit to her Ladyship at Traquair; mentions that she and her husband had arrived safely at Earlshall, and found all their children well; and begs that her Ladyship would visit her at St. Andrews at the time of her approaching confinement. Earlshall, 7th August 1744, | 374 |
| 322. James Maxwell of Kirkeconnell to William Craik of Arbigland, Esq., intimating his departure to join the party of Prince Charles Edward; committing to his charge those whom he had left behind; and mentioning that Lord John Drummond had landed in Wales with 3000 or 4000 French or Irish, and that the Highland army was to march south in the beginning of the week. [1745?]. | 375 |
| 323. William Maxwell of Nithsdale to William Craik of Arbigland, wherein, in reply to two letters from the latter, he expresses his resolution not to decide rashly as to taking a share in the "present enterprise," but states that, in his opinion, matters had now gone so far that it was for the interest of Scotland to wish success to the undertaking, and that nothing but the improbability of success should prevent every Scotsman from joining in it, adding that no Court in Europe was filled with such a set of fine-looking, brave fellows as the Highland army contained, etc. [Edinburgh,] 13th October [1745,] | 376 |
| 324. William Craik of Arbigland to William Maxwell of Nithsdale, wherein, in answer to the preceding letter, he expresses great pleasure at the determination of the latter not to engage in the "present enterprise" rashly, and endeavours to combat in detail, "with the freedom and openness of a friend," all the reasons urged by Mr Maxwell in favour of the rising. [1745,] | 378 |
| 325. Copy. The Same to [the Same,] expressing his deep sympathy with his Lordship in the | |

- unhappy situation to which he had been reduced; suggesting that his best course under the circumstances would be to surrender himself to the Governor of Carlisle, and to acquaint him that he had come to throw himself upon the clemency of the Government; and advising him that he should at the same time get some influential friend in London to represent his conduct in the most favourable light. [1746,] 381
326. Mrs. Katherine Walkinshaw to Mary Countess of Traquair, wherein she expresses a hope that her Ladyship was still in town, as she thought it would be dangerous for her to go to the country for some little time; and alludes with satisfaction to certain facts which had come to her knowledge respecting the part taken by a common friend of both in public affairs. Hatton, 9th November [1745?] 383
327. William fourth Viscount Strathallan to [Mary Countess of Traquair,] intimating to her Ladyship that Lord John Drummond had landed at Montrose with a number of French, and requesting that she would direct the bearer as to the safest way to the Prince's army. Perth, 26th November 1745, 383
328. Catherine Lady Nithsdale to [her mother, Mary Countess of Traquair,] wherein she alludes (apparently) to the fact of Prince Charles Edward and his suite having spent a night at Dumfries after his unfortunate expedition into England, and mentions that her Ladyship need not be alarmed at their speedy return; assures her that all their friends were in great spirits and in perfect health; states, however, that she herself is in "a very dismall situation," the particulars of which she could not commit to paper, and requests that her Ladyship would receive her back again to Traquair, as she felt herself unsafe where she was, and would both lose her health and break her heart if she were to remain there much longer. Terregles, 26th December [1745,] 384
329. The Honourable Eleanor Murray to [Mary Countess of Traquair,] thanking her Ladyship for her kind inquiries after the Laird of Philiphaugh, who, she states, had arrived at home on the Saturday previous, and that he and the writer had been prevented only by fatigue from waiting on her Ladyship with the agreeable news that he had left Lord Traquair "in a good way, with a fair lady to take care of him;" and congratulating her Ladyship on having obtained such an estimable person for a daughter-in-law. Haw[ick?] 19th May 1746, 385
330. Catherine Lady Nithsdale to [Mary Countess of Traquair,] thanking her Ladyship for the many proofs of her kindness she had experienced while on a recent visit to her, and intimating that she had safely arrived at Terregles, and that on her way she had avoided Dumfries, where a mob had assembled in anticipation of her passing through that town; referring to a report about a naval engagement off Brest, and praying that it might prove true and give a happy termination to the present troubles; mentioning that Lord Nithsdale still complained heavily of a pain in his stomach; alluding also to the recent marriage of her brother, Charles Earl of Traquair, and to the reported beauty of his lady. Terregles, 20th May 1746, 386
331. Charles fifth Earl of Traquair to [Mary Countess of Traquair,] wherein he complains that his sisters had not corresponded with him for several months, and that he had thus been deprived of the pleasure of having any immediate accounts of her Ladyship and the family at home; laments the present miserable condition of his native country, and prays that God would grant more favourable times; informs her Ladyship that he had been married some months, but, owing to the disturbed state of the country, had kept it secret, till it was discovered by his

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| Lordship's illness, during which his Countess never stirred from his bedside, and that she herself had caught the same disease,—a fever from cold; adds that the state of Scotland renders it uncertain when they would be able to visit it. Great Stoughton, iith July, 1746, ... | 387 |
| 332. Norman M'Leod to Mr. M'Donald of Kingsburgh, informing him that the young Pretender was "skulking in the Long Island," and would, the writer was persuaded, pay Mr. M'Donald a visit in expectation of his protection; and expressing a hope that he (Mr. M'Donald) would then avail himself of the opportunity to aggrandize his family beyond many in Scotland, and that, knowing his reward, he would do his duty to himself, his family, and country. 1746. Copy, | 389 |
| 333. Lewis Drummond of Melfort to [Mary Countess of Traquair,] thanking her Ladyship for the kindly concern she had expressed for him, and her attention in having sent to Lord John Drummond to inquire about him. Penrith, 5th November 1746,..... | 389 |
| 334. The Honourable Barbara Johnstone to Mary Countess of Traquair, wherein she alludes to a false report which had appeared in the newspapers respecting Lord Traquair; informs her that his Lordship had been examined in the Cockpit, and that he had been more closely kept since Murray began to accuse; and that, about two months before, a reward of £2000 and a remission had been offered to the Prince's butler to swear against Lord Traquair and others, which, however, he had refused to do; alludes to the slaughter at Lord Lovat's death, which she attributes to the barbarity of the Duke of Cumberland. Westerhall, 18th April [1746,] | 390 |
| 335. Lord John Drummond to [Mary Countess of Traquair,] wherein he laments the death of his two nephews, James and John Drummond, Dukes of Perth, within a year and a half of each other, the latter having died at Antwerp of fever on the 28th of September preceding; and states that the grief he felt in consequence of so great a misfortune to his family was more than his age and infirmity enabled him to bear. Fairtown, 20th October 1747,..... | 391 |
| 336. Catherine Countess of Nithsdale to [Mary Countess of Traquair,] wherein she expresses a hope that her Ladyship might yet fix upon Comlongen in the neighbourhood of Terregles for her residence; sends a cask of wine as a small present to "hansell the new house," and hints the probability of her paying a visit to Traquair before her Ladyship left. Terregles, 12th March 1749,..... | 392 |
| 337. Lord Bellew to William Maxwell of Nithsdale, intimating that his daughter had at last determined to put herself into a retired way of life, and that she proposed to resign to his Lordship all reversionary right and title she could have to his estate, and also her claim to half of the arrears of his Lordship's mother's jointure, for the sum of £1000; and requesting to be informed whether his Lordship would accept her offer. Aix-la-Chapelle, 10th January 1756,..... | 394 |
| 338. Catherine Countess of Nithsdale to [Mary Countess of Traquair,] wherein she informs her Ladyship that an English squire [William Haggerston Constable of Everinghamc], who was then on a visit at Terregles, had made proposals of marriage to her daughter "Winny;" that he was a very sensible, well-bred gentleman, and a good Roman Catholic; and therefore she hoped her Ladyship would approve of the match, and that she would take the trouble to acquaint all the Traquair family with the affair. 29th May [1758,] | 394 |
| 339. John Syme, W.S., Edinburgh, to William Haggerston Maxwell Constable of Everinghamc, announcing the death of Lady Nithsdale, which took place on the 16th of June, and ex- | |

- pressing the sincere grief of Mrs. Syme and himself on account of that melancholy event, and their deep sympathy with Mrs. Constable and himself. Edinburgh, 29th June 1765,..... 395
340. The Honourable Francis Taaffe, third son of Nicholas sixth Viscount Taaffe, to William Maxwell of Nithsdale, intimating that he had contracted matrimony with the Honourable Miss Bellew, and expressing his anxious desire to obtain the sanction of his Lordship's approbation. Louvain, 10th January 1772, 396
341. Father Sir Alexander Strachan to William Maxwell Constable of Everingham, thanking the latter for having recommended him to Mr. Blundell as travelling companion to the latter's son, and stating that he had offered to undertake that charge on condition of Mr. Blundell's settling upon him £40 sterling a year during his lifetime; mentioning also the current news, and alluding to the death of Lord Hopetoun. Kirkconnell, 17th February 1781, 397
342. Alexander M'Donell and John Fletcher to [Marmaduke Constable Maxwell, Esq. of Everingham,] informing him that they had been appointed a deputation to convey to London an address to his Majesty from the Roman Catholics in Scotland, expressive of their loyalty and attachment to his person and government, and to request him (Mr. Maxwell), as the representative of the oldest noble family of the Catholic religion in Scotland, to present the address to his Majesty. London, 22d March 1794, 398
343. John Maxwell of Terraughty to Charles Earl of Traquair, wherein he acknowledges the receipt of a letter from the latter announcing the death of his sister, Lady Mary Stuart; informs his Lordship that Lady Winifred Maxwell had requested him to present her kindest compliments to his Lordship and Lady Louisa Stuart, and to say that she would be very happy to see them at Terregles; and intimates that Mr. Maxwell of Everingham was married, and that Lady Winifred was highly pleased with the match. Terraughty, 22d December 1800, 399
344. Lady Lucy Stuart to her brother, Charles eighth Earl of Traquair, informing him of the very sudden death of their cousin, Mr. Constable Maxwell, at Abbeville, of apoplexy, when on his way to Paris to visit his eldest daughter. [Pomona Cottage, 9th July 1819,] 400
345. Elizabeth Countess of Sutherland and Marchioness of Stafford to [Margaret Maxwell of Munches,] thanking the latter for having favoured her with a copy of Lady Nithsdale's letter giving an account of the manner in which she effected the Earl's escape from the Tower; expressing the sincere regret with which she had heard of the death of Mr. Maxwell Constable, and her desire to omit no opportunity of cultivating acquaintance with Mrs. M. Constable, etc. London, 14th August 1820,..... 401

Note of the Custody of the Original Letters printed in this Volume.

- I.—Nos. 1-3 are printed from Registrum Honoris de Morton, vol. i. pp. 1, 2. [The originals at Dalmahoy.]
- II.—Nos. 4-9, 11-14, 16, 17, 19, 20, 24, 27, 28, 41, 42, 45-47, 49, 51, 53-67, 72, 73, 75, 80, 92, 102, 103, 105, 108-116, 118-121, 123, 125-128, 130, 132-161, 176, 193, 315 are at Terregles.
- III.—Nos. 10, 15, 18, 21-23, 25, 26, 29, 30, 43, 44, 48, 50, 52, 68-71, 74, 76-79, 81-91, 93-100, 101, 104, 106, 107, 117, 122, 124, 129, 131, 219, 302, 339-342 are at Everingham Park.
- IV.—Nos. 31-40 are State Papers in the Public Record Office, London.
- V.—Nos. 162-175, 177-192, 194-218, 220-301, 303-314, 316-321, 326-338, 343-345 are at Traquair.
- VI.—Nos. 322-325 belong to John Craik Hamilton, Esquire of Arbigland.

ROYAL LETTERS.

1. KING JAMES V. to JAMES THIRD EARL OF MORTOUN.—17th June [1528].¹

REX.

Trest cousing and counsalour, We greit zou weill, and hes ressaut zour writenis, and to zour desyr of our licence to contract mariage betwix Robert Maxwell, sone and apperand ayr til our cousing Robert Lord Maxwell, and zour dochtir, our nece, we are hartly content of the samyn, conforme to our mynd schawin to zou be our other writenis of befor. Subscriwit with our hand at Falkland, the xvij day of Junij.


 A handwritten signature in cursive script, reading "James V". The letter 'J' is large and stylized, with a long vertical stroke extending downwards. The 'V' is also stylized, with a horizontal crossbar.

Consanguineo et consiliario nostro dilecto, Jacobo de Morton comiti ac domino de Dalkeith, etc.

2. KING JAMES V. to JAMES THIRD EARL OF MORTOUN and his COUNTESS.
21st July [1528].²

REX.

Richt weilbelouit cousing and traist counsalour, We grete zow hertlie weile, and forsamekle as it is schewin till ws that our sister and ze thinkis to contract

¹ Registrum Honoris de Morton, vol. i. p. 1.

² *Ibidem*.

mariage, and allia our nece zour zongar dochter with Robert Maxwell, sone to our cousing Robert Lord Maxwell, off the quhilk we are hertlie wele content, and erar with him nor any uther, for we purpose to tak him fra his fadir and bring him vp in our awne house, and God haue zow in keping. Subscriuit with oure hand at Edinburgh, the xxj day of Julij.

JAMES R.

To our derrest cousing and traist counsalour, James Erle of Mortoun, and our derrest sister his spouse, etc.

3. KING JAMES V. to ROBERT FIFTH LORD MAXWELL.—12th May [1529].¹

REX.

Welebelouit cousing, We grete zou wele: Forsamekle as it is humelie menynt to ws be our louit sister, Katherine Countas of Mortoun, that quhare scho hes of ws in few the landis and barony of Buthil, and has maid gude and thankfull payment to oure Comptrollar of all malis and dewiteis awand to ws thairof, sen scho gat the saidis landis in few, and ze withhald fra hir ane grete part of the malis of the samyn, extending to thre hundreth merkis of termes bygane, nochtwithstanding oure comptrollare is payit be hir of the said malis: and als scho is planetuis that ze haue ane bruther of zouris callit Johnne of Maxwell, quhilk withhaldis fra hir the manys of Prestoun callit the Wrayes, quhilk is hir conjunctfeftment, all malis and proffittis of the samyn of thir thre zeris bygane be zour tollerance. Considering ze ar schiref to ws, and ballie to our said sister, we merwell that ze thole sic manifest wrangis to be done within the boundis of zoure office. Tharefore we charge zou, as ye will eschew oure hie displesure, that ze mak and cause zour bruther to mak thankfull payment to our said sister of all termes bygane and to cum, for scho hes optenit our lettres on zou in the ferd forme, and we will thole thame to proceed according to justice, without ze mak, and caus to be maid, thankfull payment to hir of all termes bygane and to cum of the saidis landis. Subscriuit with our hand at Edinburgh, the xij day of Maij, and of oure Regnne the xvj zere.

JAMES R.

¹ Registrum Honoris de Morton, vol. i. p. 2.

4. KING JAMES VI. to ROBERT FIRST EARL OF NITHSDALE, WALTER FIRST EARL OF BUCCLEUCH, and JOHN [MURRAY] VISCOUNT ANNAND. 23d April 1623.



Righte trustie and righte welbeloued cosens and counsellouris, and righte trustie and welbeloued counsellour, Wee greete yow well : Wheras wee are ereditible enformed that disorders haue of late encreased in the midle shires betwixte the two kingdomes, partelie by scarcetie and dearth, but cheefelie through lacke of mutuall concurrence and intelligence betwixte the principall officers of the said shires, so as a malefactour hauing committed an offence in eyther of the kingdomes, flying to the other, hath receipte, and seldome or neuer is called in question for the same : Wee haue, therefor, thoughte good by these presentes to wille and require yow, with such conuenient expedition as may be, to appointe such time and place as by mutuall consente yee, the Earle of Cumberlande, the lord Clifforde, the lord Williame Howarde, and remanent commissioners of this kingdome, shall think moste conuenient to meet at, there ioyntlie to conelude, agree vpon, and sette doune such orders, artieles, and conditions as shalbe moste requisite for suppressing of all kinde of disorders in the said midle shires, aswell at this presente as in all time comming : And herein exspecting your care and speciall diligence, wee bid yow farewell. Giuen at our castle of Windesor, the 23th of Aprile 1623.

To our righte trustie and righte welbeloued cosens and counsellouris, the Earles of Nethesdale and Buekleugh, and to our righte trustie and righte welbeloued counsellour, the Vicomte Annandie, these deliuer.

5. KING JAMES VI. to [the PRIVY COUNCIL OF SCOTLAND].—29th May 1623.

Wee haue receaued your letter, (being an answer to one of ouris for discharge of the exemption of those of the surname of Johnston frome the iurisdiction of

the Earle of Nethesdale,) and haue considered of the reasons vsed by the Laird of Johnston to haue the said exemption continued, and of the instances alledged for prooffe of the malice of the Maxwelles against the name of Johnston, which wee finde so far vnworthie to be a cause of feed betwixte two surnames, and so casuall as the same mighte haue happened betwixte anie other. For our parte, as we haue euer founde one rule infallible, which is, that the mater of feedes is not eternall, but may be remoued and not transmitted to posteritie, so now it is our pleasour that, calling before yow the said Earle of Nethesdale and Laird of Johnston, if yee shall finde anie cause of quarrell remayning betwixte them or anie of their frendes, yee, by our authoritie, take the same cleane away, make them frendes, and discharge the exemption, which wee wille haue quite abrogated, as a speciall meane to foster deadlie feede. Neyther hath the said Laird of Johnston anie iuste cause of feare, seeing our authoritie is not granted to the Earle of Nethesdale his frendes, but to him selfe; nor to him selfe alone, but ioyned with the Earle of Buckleugh and Vicomte Annande. So, not doubting of your care and diligence in the premisses, wee bid yow farewell. Giuen at our Mannour of Theobaldes, the 29th of Maie 1623.

[*Dorso*] Coppie of the Kinge's Letter for di[s]charge of the exemptioun of the Johnstounes.

6. KING JAMES VI. to the PRIVY COUNCIL OF SCOTLAND.—9th December 1624.

Righte trustie and righte welbeloued counsellour, righte trustie and righte welbeloued cosen and counsellour, and others our righte trustie and welbeloued counsellouris, Wee greete yow well: Hauing for certeyne important reasons giuen licence to the Earle of Nethesdale to departe and for a time to remayne oute of our dominions, wee were pleased to require our counselle there to deale with his creditouris to accepte of their annualles, for a terme or two at the moste,—which being accordinglie performed, we are now crediblie aduertised that certeyne persons haue intended action againste him before yow, and becaus that he neyther is there, nor can conuenientlie be aduertised of the particularities whereupon he is persued, whereby to giue cnformation to his procuraturis for his defences, wee haue thoughte good by these presentes to require

yow to supersede all proceeding in the said actions during the time of this winter session, which being alreadie halfe past, can importe no preiudice to anie partie whatsoever: And not doubting of your conformitie to this our desire, wee bid you farewell. Giuen at Cambridge, the nyinth day of December 1624.

[*Dorso*] Coppie of King James his Lettres in faouris of my Lord Nithisdail.

7. KING CHARLES I. to ROBERT FIRST EARL OF NITHSDALE.—20th Feb. 1626.

A large, elegant handwritten signature in cursive script, reading 'Charles I.', with a long, flowing tail.

Right trustie and welbeloued cosen and counsellour, Wee greete yow well: Whereas our late deare father was graciouslie pleased that the town of Edcubrough, and such other borrowes as should joyne with them, should pay the like sowme for their part of the extraordinarie taxation formerlie granted, as they were to do for that which was ordinarie, as may appeare by an act of counsell, of the date the 20 of Nouember 1621, made concerning the same; because wee are no lesse fauourable inclyned towards the said borrowes then our said late deare father was, being confident of their affection for the furthering of anie thing that may tend to the aduancement of our seruice which hath been or shalbe imparted vnto them from vs: Our pleasure is that yow agree with them vpon the same conditiones as was formerlie condescended vpon to this purpose in our late deare father's time, and that an act of counsell for their securitie be accordinglie made therevpon: for doing whereof these presentes shalbe vnto yow a sufficient warrant. From our Court at Whitehall, the 20 of February 1626.

To our right trustie and welbloued cosen and counsellor, the Earle of Niddisdale, collectour generall of our taxationes, granted at the last Co[n]vention of the Estates of our Kingdome of Scotland.

8. CHRISTIAN IV., KING OF DENMARK, to ROBERT FIRST EARL OF NITHSDALE.
28th February 1627.

Wir Christian der vierdte von Gottes Gnaden zu Dennemarken, Norwegen, der Wenden undt Goten König, Herzog zue Schleswig Holstein, Stermareen undt der Dithmarschen, Graff zue Oldenburgk undt Delmenhorst p. Vhrkunden undt bekennen hiemit, undt in Kraft dieses, das Wir dem wohlgebornen unsern getreuren lieben und bestallten Obristen Graffen, Herrn Graffen von Nidisthall gnädigst Befehl beygemessen zu unsern und des Nieder Sächsischen Creyßes Behueff ein Regiment guter wohlerfahrner tapferer Schotischer Soldaten von dreytausent man zuerwerben, die selben in unsern Dienst anzuenehmen, undt auff Ort und Zeit, unserer gnädigsten Verordnung nach, sich mit demselben einzustellen. Damit ihme nun hierin keine Verhinderung zuegefügt werden möge, so haben wir ihme mit diesen unsern Patent zuuersehen eine Rotturff erachtet. Gelanget undt ist demnach hiemit an alle undt iede, so er mit solchen unsern Patent gebührlich belangen wirt, unsere respective freundliche Bite, günstiges Gesinnen undt gnädigst Begeren, vnseren hohen undt nieder Officieren aber zue Noß undt Fuesß Crafft dieses ernstlich befehlet, euer Liebden, undt Ihr wolleten vorgedachten unsern Obristen in dero Jurisdiction undt Botmäßigkeit mit allem die ihm anbefohlene Werbung guetwillig verstaten, besondern ihme auch alle guete Beförderung Vorschub undt Hülffe unsertwegen dabey erzeigen undt wiederfahren lassen. Solches seint wir undt euer Liebden undt euch, so sich hierinne freundlich undt guter Willigkeit erweisen mit respective angenehmen Gegenbezcugungen auch königlich Gunsten undt Gnaden zubelegen erbietig undt geneigt. Die unsereen aber thun undt verrichten hieran unsers gnädigsten Befolchs ernste Meinung. Vhrkundtlich unter unsern königlichen Handtzeichen undt Secret. Gegeben in unsern Hauptquartier, Stade, den 28 Februarii anno 1627.



9. KING CHARLES I. to ROBERT FIRST EARL OF NITHSDALE.—14th April 1627.

CHARLES R.

Right trusty and welbeloued cousin and counsellour, We greete yow well :

Whereas yow did informe vs of the agreement which yow made with the Countesse Dowager of Lothian for her joynture and her daughter's interest in the lordshipp of Newbotle, wee can not but approue thereof, and so much the rather because wee find a willingnesse to giue vs all lawfull content, and to satisfie all creditouris and pairties anic wayes interested in the said lordshipp : And we hauing now written to some of our judges and our aduocatis there to conferre with the said Countesse and all parties interested, and to try the true estate and burdings of the said lordshipp, and to peruse all the writtings concerning the same, that wee, being by them certified thereof, may tak such further course therein as in our princely iudgement shall seeme fitting ; therfor our pleasure is that yow now conferre with the said Countesse and perswade her constant persisting in the said agreement, and that both pairties may joyne so frendlie togidder as becometh persones so nearely interested : And what further aduise yow think fitt to giue vnto them, both tending to their good and our seruice, wee hope yow will heartilie do the same, and acquaint vs with their resolutions. So wee bid yow farewell. From our Court at Whitehall, the 14 day of Aprile 1627.

To our right trustie and welbeloued cousin and counsellour, the Earle of Nithisdale.

10. KING CHARLES I. to the PRIVY COUNCIL OF SCOTLAND.—29th April 1627.

TO THE COUNSELL.

Right, etc.: Being crediblie informed of the difficulties in raising the full number of those forces intended to be sent vnto our vnkle, the King of Denmark, and how that diuerse persones, hauing no meanes at home, wold willinglie imbrace the conditiones condescended vpon, if so be they could in the meane time be protected from their creditouris, to whom, by that meanes, there might possiblie be a greater hope that satisfaction should be made then otherwys by the said persons then sheltring themselves within the kingdome, without the benefite to vse meanes to relieue themselves from extreame necessities, much lesse to find any occasion whereby to satisfie their said creditouris ; in regard whereof a mocion hath been made vnto vs for taking the same vnto our con-

sideracioun, it being a purpose of so great consequense, the necessity of a supplie for our said vncle, vpon the one pairt, much moving vs, and vpon the other, a constant resolution in vs neuer to hinder the due course of justice : Wee, therfor, haue thought most fitt to referre the same wholie vnto your serious consideraciouns, being willing that yow show vnto all such persons who wold willinglie imbrace the said conditiones, all such fauour as can be lafullie and convenientlie granted, whereby the said creditouris may not haue iust reason to complaine, nor they be barred from so good a purpose ; for doing whereof you shall haue any further warrant that yow can require of vs ; and so wee bid yow farewell.

Whitehall, the 29 of Aprile 1627.

Vera copia.

S. W. ALEXANDER.

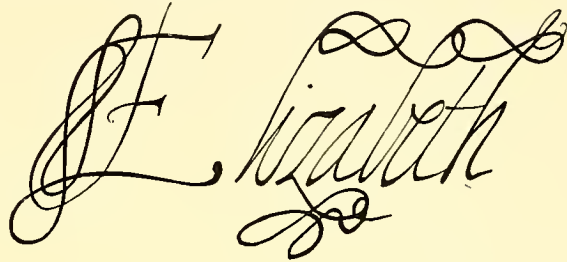
11. ELIZABETH QUEEN OF BOHEMIA, daughter of King James VI., to
ROBERT FIRST EARL OF NITHSDALE.

The Hagh, this 22 of May [1627].

MY LORD,—I giue you manie thanks for your letter, and especially for the testimonie you giue me by your actions of your affection, which I shall euer acknowledge the obligation, and be readie to requite it in occasions. According to the King my deare brother's command, I did my best to gett you a sergeant maior from hence, but this gentleman can tell you how it was denied, though I assure you he did leaue nothing vndone to gett your desire. He can best tell you all the proceedings, and since you cannot gett one from hence, I pray lett me intreat you for one to be your sergeant maior. His name is Williame Kunningham ; he was my first page, and hath serued in all our warrs, both one foot and horse. His last charge was a lieutenant colloncl's place, vnder Count Mansfelt. He speakes verie good high Duche, which I think you will haue much need of. I am sure you know his father-in-law, oulde Sir Williame Vrwine. If you be not alreadie ingaged, you shall doe me a great pleasure in

accepting this gentleman. I will trouble you no more at this time, but intreat you to beleue me euer,

Your verie affectionat frend,



To the Lord of Nithisdail.

12. KING CHARLES I. to the VISCOUNT OF DUPPLIN, Chancellor, and others.
15th July 1627.

CHARLES R.

Right trusty and welbeloued cousin and counsellour, and trusty and welbeloued, Wee greete yow well : Whereas we were pleased, for diuers considerations, to grant a protection vnto the Earle of Nithisdale, with speciall reservation that, at Mertimes next, he should satisfie his creditouris for their interests ; notwithstanding (as wee are informed) there are some of them who haue produced hornings to hinder him from pursuite of his causes depending before yow, contrarie to our intention signified by our said protection : Our pleasure is, that yow suffer him and his cautioners to pursue and defend in all their actiones, whereby they may be the better enabled to giue satisfaction to their creditouris ; and to this effect, that no horninges which shalbe produced by them do hinder the said Earle nor his said cautioners in pursuite or defence of any of their actiones, during the time of the said protection ; and that yow grant vnto them such further fauour as hath been granted vnto anie other persones in the like kind, and as may be lawfullie granted by yow ; and likewise, that in all other actiones depending, or which shal happen to depend, befor yow concerning the said Earle, yow grant vnto him, in regard of his imploymentis in our seruice, all the speedie fauour that lawfullie and convenientlie can be

granted ; which we recommend vnto your eare, and bid yow farewell. From our Court at Theobaldes, the fyfteene day of July 1627.

To our right trustie and welbeloued cousin and counsellour, the Viscount of Diplin, our Chaneeler, to our trusty and welbeloued Sir James Skein, Precedent, and to the remanent Senatouris of our Colledge of Justice in our Kingdome of Scotland.

13. KING CHARLES I. to the PRIVY COUNCIL OF SCOTLAND.

15th July 1627.—Copy.

TO THE COUNSELL.

Rycht, etc.: Being informed that the day appointed for the regimentis being in readines which were to be sent vnto our vncle, the King of Denmark, is alreadie expired, and that both yow and the eommanders thereof haue vsed your best endeauouris in that erand ; and vnderstanding that for this purpose it is fitt that a longer time should be granted, wee think it fitt that it be prorogated till the last day of August ensucing ; and in the meane time, that yow carefullie insist, as yow haue already begunne, to cause levy such idle persones as are designed in the proelamation made to this effect: which kind of persones already levyed by this meanes, or to be levyed hereafter, wee require, for diuerse considerations, to be equallie distributed amongst the three colonells, leauing euerie one of them otherwise by their own meanes to strengthen their companies ; and to this effect, that yow both signifie our pleasure herein to them, and be carefull to see the same be put in execution : As likewise, that yow certifie vnto them that if the said compleat number of men, already con-discended vpon to haue been levyed, be not in readines before the said day, that then wee wilbe foreed, for the better relief of the debtes lately contracted for our vse, to cause put their bands in exeeution : So recommending the premisses vnto your earnest care, as purposes speciallie importing the good of our seruice, wee bid yow farewell. Theobaldes, the 15 of July 1627.

14. KING CHARLES I. to [the PRIVY COUNCIL OF SCOTLAND.]
circa 1627.—Copy.

Forsamekle as be our former gift vnder the Preivie Seill of that our kingdome, wee hawe gevin and disponit to our lovit Robert Maxuell of Portrake the nonentres dew to ws furthe of the landis and vtheris belonging to our rycht traist couseing the Erle of Nithisdail; whiche gift being presentit to hawe bein past vnder your handis wes retrinshed, so far as concernit the yeiris of the nonentry to come, to three termes nixt and immediatlie ensewing the dait of the same, quhilk is of the fyft of September 1627: And wee, considering that our said rycht traist couseing hes bein so imployet in our serveice this tyme bygaine since the dait of the said gift, that conveniently he could not obtaine himselffe serveit, retourit and seisit in his haill landis and vtheris foirsaidis: And being willing to dispone the haill benefeit of the nonentrie presentlie dew to ws furthe of the samyn landis and vtheris abonespecifeit, to the said Robert Maxuell of Portrake, siklyke as wee did of befoir be our said former gift: Our plesour theirfoir is that yow signe with your handis, conforme to the order, the signatour heirwith sent downe to yow superscryvit be ws, conteining our gift of the saidis nonentrie maillis and deuties of our said rycht traist couseing his landis and vtheris abonespecifeit to the said Robert Maxuell, and thairefter delyver the same to him or vtheris in his name, gratis without any compositioun to be takin be yow thairfoir, to the effect the samyn may be past the preivie seill of that our kingdom; and that ze desist and leive of to seik payment in our name, or to direct letters and chair[g]les any vther maner of way againest our said richt traist couseing, or his saidis landis for payment of the said nonentrie maillis and deuties, or yeit to call and persew the shireffis of our shirefdomes within the quhilk the saidis landis lyes for making compt, rekoning, and payment to yow of the samyn in any sort. Quhilkis haill premisses and everie particular heirin conteinit, wee requyre yow to doe, obey, and performe, immediatlie efter the sicht heirof, notwithstanding of quhatsoever objectioun that may be maid in the contrair, as yow will ansuer to ws vpon your obedience. Quhairanent ther presentis shalbe vnto yow ane sufficient warrand. Gevin at

15. KING CHARLES I. to the PRIVY COUNCIL OF SCOTLAND.

27th November 1628.—Copy.

Right trusty and right welbeloued cousin and counsellour, right trusty and welbeloued cousins and counsellouris, and right trusty and welbeloued counsellouris, wee greet yow well : Whereas our right trusty and welbeloued cousin and counsellour, the Earle of Nithisdail did receaue 4000 lib. sterling for levyng and transporting from that our kingdome some forces for our vncle, the King of Denmark, his better supplie in the warres wherein he is at this tyme engaged, and since it was [well] knowen that the said Earle did not onlie bestow the said 4000 lib. reallie [for] that vse, but that the forces levyed and transported by him stood [the] said Earle to a good deale of more charges then the said 4000 lib. ; [Our] pleasour, therefoir, is that yow dis[c]harge the said Earle and our trusty [and] welbeloued Sir James Baillie, (who become suretie for the employment of that money in these levyes,) of the whole conditiones wherevnto they are bund by any act for the said money and levyes so conditioned : For doeing whereof these presentis shalbe vnto yow a sufficient warrant. From our Court at Whitehall, the 27th of November 1628.

[*Dorso*] The Kings Lettère to the Counsell for dis[c]harging the Earle of Nithisdail of ane act of caution.

16. KING CHARLES I. to the PRIVY COUNCIL OF SCOTLAND.—20th April 1630.

CHARLES R.

Right trustie and right welbeloued cousin and counsellour, right trustie and right welbeloued cousins and counsellors, right trustie and welbeloued counsellours, trustie and welbeloued counsellours, and trustie and welbeloued, Wee greete yow well : Seeing (as wee are informed) it pleased our late deare father to give order by a letter from him that noe guift of the Earle of Nithisdale, his lyfrent or escheate, should be disposed of till he were first acquainted therewith, and wee being noe lesse carefull of that which may concerne the sayd Earle or the good of his house, doe requyre yow by these presents, that yow passe noe guift of his lyfrent or escheat till he or such as shall have warrant from him

be first heard, that the benefite thereof may be applyed for the payment of his owne debts and releefe of his cautioners, whom wee recomend vnto yow in like maner in soe farr as they rest bound for him. And soe wee bid yow fairewell, from our Court at Whythall, the tuentie day of Apryle 1630.

To oure right trusty and right welbeloued cousin and counsellour, to our right trustie and welbeloued cousins and counsellours, to our right trusty and welbeloued counsellours, to our trusty and welbeloued counsellours, and to our trusty and welbeloued, the Lord Viscount of Duplin, our Chancelour of our Kingdome of Scotland, the Earles, Lordis, and remnant others Commissionares of our Exchequer within our sayd Kingdome.

17. KING CHARLES I. to ROBERT FIRST EARL OF NITHSDALE, and JOHN FIRST EARL OF ANNANDALE. [*circa* 1630.]

CHARLES R.

Richt trustie cousings and counsalouris, Robert Earle of Nithsdaill and Jhone Earle of Anandaill, our Commissionars of our schirefdome of Dunfreis vithin that our Kingdome of Scotland, we greit zow veill : Our pleasure is, that ze sall accept the band of cautionarie of Sir Robert Daliell of that Ilk, our servitour, for comperans of Jhone Padzean of Newtoun befoir our Justice and his deputis vpon lafull citation, and vnderly our lawis thair for suche crimes as sall be layit to his charge, and that vnder the panes contenit in our actis of Parliament thairanent, and thairvpon to freith, releif, and set him at libertie furth of his present vaird : whairanent thir presentis sall be your varrand. Gewin at

[Date left blank in the original.]

18. KING CHARLES I. to ROBERT FIRST EARL OF NITHSDALE.

18th January 1639.

CHARLES R.

Right trusty and welbeloued cosen, wee greet yow well : In regard of the many proofes of your good affection for advanceing of our service at this tyme,

haueing resolved to be in person at York about Easter next, that wee may be the more neare to that our kingdome, for taking such course as vpon the present occasion may appeare to be requisite ; these are to advertise yow of this our purpose, that, either vpon your stay there, or vpon some necessity of your retireing to this our kingdome, yow may take the best course yow can for securing of them whom yow know to be affected to our service, that they doe nothing that may tend to the approbatioun of the late assembly at Glasgow, and for preparing of them otherwise for our service, as yow shall think expedient, and as wee shall acquaint yow from tyme to tyme with our further proceedings : So if any thing occurre wherein yow shall advise vs, lett vs likewise be acquainted therewith, because wee will much rely vpon your judgment therein : and so we bid yow farewell. From our Court at Whitehall, the 18th Januarij 1639, *Stili Scotiæ*.

To our right trusty and welbeloued cosen, the Earle of Nithisdale.

19. KING CHARLES I. to THOMAS SYDSERF, Bishop of Galloway.

25th January 1640.

CHARLES R.

Reuerend Father in God, and right trustie and wel beloned counsellour, Wee greete yow well : Wee being willing, vpon good consideracions knowen to vs, to recommend our right trusty and welbeloued cousin, Robert Earle of Nithisdale vnto yow for renewing of his takes of the tithes of Dunfreis and Staplegarton, it is our desire, and wee do hereby effectuellie recommend vnto yow to renew the same vnto him for the old dutie payed by him, and to do him all the lawfull fauour yow can in what may concerne him, which wee will tak as acceptable service done vnto vs. Wee bid yow farewell. From our Court at Whitehall, 25th January 1640, *Stili Scotiæ*.

To the Reuerend Father in God, the Bishop of Galloway.

Windsdail / It is now tyme for me to bid you looke to
your selfe, for longer then then the 13 of the next Month
I will not waierant you, but that ye will heare of a
breache ~~bet~~ betwixt me & my (Covenanting Rebelles: of
this, I have written to the Marquis Douglas, but vnder
condition of Secresie, the w^h bykwaies I requyre of you; onlie
I permit you, with the same caution, to aduertice Winton:
For the rest, referring you to this bearer, (who knowes no-
thing of the substance of this Letter) I rest
W^hysdall the 27: of March
1640

Your assured friend
Charles R.

Assistance, by the grace of God, ye
shall have, & as soone as I may; but
when, as yet, I cannot certaintie tell you

20. KING CHARLES I. to ROBERT FIRST EARL OF NITHSDALE.—[Holograph.]

Whythall, the 27 of March 1640.

NITHISDAILL—It is nou tyme for me to bidd you looke to your selfe, for longer then the 13 of the next month I will not warrant you, but that ye will heare of a breache betwixt me and my Couenanting Rebelles. Of this I haue written to the Marquis Douglas, but vnder condition of secresie, the which lykwais I requyre of you ; onlie I permitt you, with the same caution, to aduertice Winton. For the rest, referring you to this bearer, (who knowes nothing of the substance of this letter,) I rest,

Your asseured frend,

CHARLES R.

Assistance, by the grace of God, ye shall haue, and as soone as I may ; but when, as yet, I cannot certainlie tell you.

21. KING CHARLES I. to ROBERT FIRST EARL OF NITHSDALE.

20th July 1640.

CHARLES R.

Right trusty and welbeloued cosen, Wee greet yow well : Having been informed of the rigorous actiones of our subjects in Scotland against yow, whereby yow are brought into daylie troubles and dangers for your constant affection to our service, wherein wee desire you to continue, and be assured that whensoever wee shall heare of their proceeding to beseidge yow, wee shall take such order for your releef as shall testefy how sensible wee are of the good service yow have done vs, whereof wee shall not be unmyndfull, when any occasion shall offer whereby wee may express our princely respect vnto you : Wee bid yow hartily farewell. From our Court at Oatlands, the 20th of July 1640.

To our right trusty and welbeloued cosen, the Earle of Nithisdale.

22. KING CHARLES I. to ROBERT FIRST EARL OF NITHSDALE.

15th September 1640.

CHARLES R.

Right trusty and right welbeloued cosen and counsellour, wee greete you well : Whereas you haue represented vnto vs, by your letter of the 12th of September, that those who haue besieged you soe long in the Castle of Carlauerocke, haue now offred you honourable conditions to come out ; and for as much as our affaires permitt not to releiue you soe soone as wee had determined, and as [it] seemes your necessities require ; and being withall most willing to free your person from further danger, and ease you of the trouble and toyle you haue sustayned by soe long a siege : Wee doe therefore hereby, (gratiously condescending vnto your humble request,) give you leaue to imbrace and accept the foresaid conditions for the safety and preservation of your person and estate, hauing withall a regard to our honour soe farre as the necessity of your present condition will permitt ; and we shall still, as wee haue don hitherto, continue our gracious esteeme of you. Giuen att our Court att Yorke, the 15th day of September, in the sixteenth yeare of our raigne, 1640.

To our right trusty and right welbeloued cosen and counsellour, Robert Earle of Nithisdaile.

23. KING CHARLES I. to ROBERT FIRST EARL OF NITHSDALE.

15th September 1640.

CHARLES R.

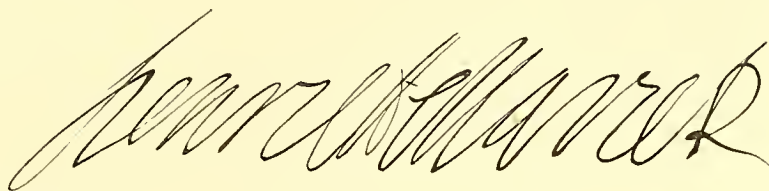
Right trusty and right welbeloued cosen and counsellour, Wee greete you well : Vnderstanding by this bearer, that although you were agreed with those that haue beleaguered you in Carlauerocke vpon honourable termes for your coming forth, and rendring thereof, yet that those conditions are not valide vntill such time that they be ratified by those that haue made themselues members of the great Committee in Edinburgh, and fearing that your ennemyes there will not giue way to your coming forth vpon soe good termes, wee are, therefore, graciously pleased, and by these presents doe permitt and giue you leaue to take such conditions as you can gett, whereby the liues and liberties

of your selfe, your family, and those that are with you, may be preserued. And in case they should vrge the surrendry of our Castle of Treeue, (which hitherto you haue soc well defended,—and wee wish you were able to doe soe still,—) our gracious pleasure is, that you rather quitt the same vnto them, (which, if soe the necessity require, you are to doe on the best and most honourable termes you can,) rather then hazard the safety of your owne person, and those with you ; and in such case this shalbe your warrant and discharge. Giuen at our Court att Yorke, the 15th day of September, in the 16th yeare of our raigne, 1640.

To our right trusty and right welbeloued cosen and counsellour, Robert Earle of Nithisdaile.

24. HENRIETTA MARIA, Queen of King Charles I., to ROBERT FIRST EARL OF NITHSDALE. 5th April [1640].

MON COUSIN,—Voyant la confiance que vous aues en cette jantilhomme, Monsieur Maxwell, je ne diray rien dans ma lettre, mais instruire ce jantilhomme de le que j'orois escrit ; c'est pour quoy vous croyre ce qu'il vous dira, et vous assure que vous me trouueres toujours la mesme personne que vous m'aves laisee dans les mesmes intantions, quoyque l'on vous dise ; estant vostre bien bonne amie,



Yorke, ce 5^e Aurill.

Vous pouviez assurer le Conte de Montroise de tout ce que je vous mande de ma part.

A mon cousin, le Conte Nithisdaill.

25. LOUIS XIII., KING OF FRANCE, to ROBERT FIRST EARL OF NITHSDALE.
23d March 1641.

MONSIEUR LE COMTE DE NITHSDAIL,—J'ay eu à contentement de voir par vostre lettre que le Seigneur Maxuel vostre frere m'a presentee, et par ce qu'il m'a dit vostre affection vers cette couronne, et le desir que vous auez de vous employer pour mon service. Vous pouuez croire certainement que je vous en scay beaucoup de gré, et que je seray tres aise de vous le faire cognoistre dans les occasions qui s'en offriront. Quant a ce que vous auez offert d'amener ici de gens de guerre pour mon service, le Secretaire Montereul, mon agent par-dela, vous fera scauoir plus particulièrement mes intentions : Auquel me remettant, je prie Dieu qu'il vous ayt, Monsieur le Comte de Nithsdail, en sa sainte garde. Escrit à Saint Germain-en-laye, le xxiii^s Mars 1641.



BOUTHILLIER.

Monsieur le Comte de Nithsdail.

26. KING CHARLES I. to ROBERT FIRST EARL OF NITHSDALE.—7th May 1642.

CHARLES R.

Right trusty and well beloued cosen, wee greete yow well : Wee doo receaue the tender of affection to our seruice expressed in your letter, and other instructions deliuered by Captaine Maxwell, with thanks, and desire of your continuance in that loyall way till wee shall possibly haue forder use therof ; in which cace ye may expect to haue tymely aduertisement from ws : And till then wee bidd yow farewell. Giuen att our Court in our City of Yorke, this seuenth of May 1642.

To our right trusty and well beloued cosen, the Earle of Nithsdail

27. KING JAMES VII. OF SCOTLAND to WILLIAM DUKE OF QUEENSBERRY, Treasurer, and JOHN EARL OF KINTORE, Treasurer-Depute of Scotland.
23d October 1685.—Copy.

Sic suprascribitur JAMES R.

Right trusty and entirely beloved cousin and counsellor, and right trusty and welebeloved cousin and counsellor, Wee greet you wele. Whereas our dearest royall brother (of ever blessed memorie) wes, by a gift, bearing date the 23th day of March 1683, graciously pleased to grant unto Lady Lucy Douglas, Countesse Douager of Nithisdale, a yearly pension of two hundred pound sterline, for her own and her son and daughter, their better maintenance and subsistance ; as also wes graciously pleased, by his letter of the 29th of Aprile 1682, directed to the then Commissioners of the Treasury, to appoint and allocate for the use of the deceased Robert Earle of Nithisdale, as much of the lands and estates, formerly belonging to the Rebells, within the shyre of Wigtoun, and stewartry of Kirkudbright, whether then already forfeited, or concealed, or not disposed of, as in yearly rent, would amount to the sum of four thousand merks Scots money, (free of all reall burdens,) and to require the saids Lords Commissioners to send up to him a signature, to be signed under his Royall hand, disposing the said Rebells' lands, extending to the forsaid yearly rent, to the said deceased Earle of Nithisdale, heretably and irredimably, or otherwayes, to convey a valide right thereof unto him, conform to the commission granted unto them, for selling and disposing upon the Rebells' estates ; and wee being willing to make the kyndnesse designed by our said dearest royall brother to the said deceased Earle of Nithisdale, effectuall to William, now Earle of Nithisdale, his son, for the preservation of so ancient and loyall a family ; and being lykewayes informed that there are some arrears of the pension granted by our said dearest royall brother to the said Lady Lucy Douglas, Countesse Douager of Nithisdale, yet resting unpaid : Wee doe hereby authorize and requyre yow, in the first place, to pay, or cause to be payed, unto her furthwith, so much as remaines in arrear of her said yearly pension ; and after your takeing cognition and tryall of the value and extent of the said Rebells their lands, to send up unto us a signature containing our grant thereof heretably, in favours

of William, now Earle of Nithisdale, and his heirs, (not exceeding the said sum of four thousand merks Scots money of yearly rent, free of all reall burthens,) to be signed by us here. For doeing both which this shall be to yow, and all others respectively who may be therein concerned, a sufficient warrant. And so wee bid yow heartily farewele. Given at our Court at Whitehall, the 23d day of October 1685, and of our reigne the first year. *Sic subscribitur*,

By his Majestie's command,

MORRAY.

This is a true copie of the principall in my custodie.

Directed thus :—

THO. MONCREIFF.

To our right trusty and entirely beloved cousin and counsellor, and our right trusty and welbeloved cousin and counsellor, William Duke of Queensberrie, our Treasurer-principall, and John Earle of Kintore, our Treasurer Depute, of our ancient Kingdome of Scotland.

28. The SAME to [the PRIVY COUNCIL OF SCOTLAND].

8th March 1686-7.—Copy.

JAMES R.

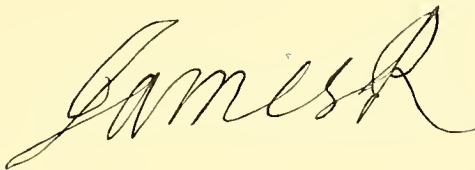
Right trusty and right welbeloved cousins and counsellors, right trusty and entirely beloved cousins and counsellors, and right trusty and well beloved cousins and counsellors, Wee greet you well. Whereas wee are informed that ther are some arreares due of the yearly pension of two hundred pounds sterline that wee were graciously pleased to grant out of our royall bounty to Lady Lucy Douglas, Countesse Dowager of Nithsdale, which (neverthelesse of the delay of the payment thereof) wee are resolved to render effectuall unto her : It is now our will and pleasure, and wee doe hereby authorise and require you, with all convenient diligence, to examine and state what remaines due of the pension aforesaid since our accession to the crowne ; which being done, it is our further will and pleasure, that out of the first and readiest of our rents, revenues, customs, and casualties whatsoever of that our ancient Kingdome, you pay, or cause the same to be paid, unto the said Lady Lucy Douglas without any delay. For doing whereof these presents shalbe to you, and all others respectively who may be therein any way concerned, particularly to the Lords

Auditors of your accompts for allowing the same, a sufficient warrant. And so we bid you heartily farewell. Given at our Court, at Whitehall, the 8th day of March 1689, and of our reigne the 3d year.

By his Majestie's command,

MELFORT.

29. KING JAMES VII. of Scotland to WILLIAM FIFTH EARL OF NITHSDALE.
20th April 1692.

A handwritten signature in cursive script, reading 'James R', likely representing King James VII of Scotland.

Right trustie and right welbeloved cousin and counsellour, Wee greet you well : Whereas it has pleased Almighty God to giue us such a force as does enable us to returne to our Kingdome of England to assert our royall right, and answer the longing expectations and earnest desires of all ranks and degrees of our subjects, who haue invited us to come and relieue them from the oppression and tyranny they lye under, and given us full assureances that they will, upon our appeareance, unanimously joyne our royall standard ; and wee, not doubteing of the loyaltie and zeale of our subjects of our ancient Kingdome of Scotland, and that they would be glad for our and their owne interest, of soe good an opportunity to signalise their hereditary loyaltie, wee haue thought fitt by our proclamation to require them to take armes for us, and to assert our royall authoritie against the usurpers, the Prince and Princess of Orange, and their adherents : Therefore wee doe signifye the same to you in particular, that you may distinguish your self on this occasion. We doe hereby order you to take armes, with your friends and followers, to declare for us, and endeavour to drue out such as shall resist our authoritie, promiseing you and all others that shall lay hold on this fauourable occation due rewards, according to the services you and they shall render unto us ; for wee are fully convinced that the Crowne cannot be safe but by supporting those loyall men who haue and will, wee doe not doubt, continue to assert and vindicate our royall authority

and undoubted rights. Soe releying on your zeale and forwardness at this tyme, wee bidd you heartily farewell. Given at our Court, att the Castle of St. Germain, this 20th day of Aprill 1692.

By his Majestie's comand,

MELFORT.

To our right trusty and right wellbeloued cousin and counsellor the Earle of Nidisdail.

30. KING JAMES VII. to WILLIAM FIFTH EARL OF NITHSDALE.

21st April 1692.

JAMES R.

James the Seaventh, by the Grace of God, King of Scotland, England, France, and Ireland, Defender of the Faith, etc., To our right trustie and right welbeloved couzin, William Earle of Nithsdeall, greeting : Wee, reposeing speciall trust and confidence in your loyaltie, courage, and good conduct, doe by these presents constitute and appointe you to be collonell of a regiment of horse, to be by you forthwith raised in that our ancient Kingdome of Scotland, as alsoe to be captain of a troope in the said regiment. You are, therefore, to take the said regiment as collonell, and the said troope as captain, into your care and charge, and duely to exercise as well the officers as soldiers thereof in armes, and to doe your utmost endeavours to keep them in good order and discipline : And wee doe hereby command them to be obedient to you as their collonell and captain, and you to obserue and follow such orders and directions as you shall from time to time receiue from us, or any your superiour officers, according to the rules and discipline of warr, and in pursuance of the trust and confidence wee doe hereby repose in you. Given at our Court at the Castle of St. Germain, this 21th day of Aprill 1692, and in the eight yeare of our reigne.

By his Majestie's command,

MELFORT.

II.—STATE AND OFFICIAL LETTERS.

31. GAVIN DUNBAR, Archbishop of Glasgow, chancellor, WILLIAM SECOND EARL OF MONTROSE, and ROBERT FIFTH LORD MAXWELL, Regents of Scotland, to HENRY VIII., King of England. 17th February [1536-7.]¹

Richt excellent, richt hie and mychti prince.—Forsamekle as ane venerable fader in God, Andro, Abbot of Melross, oratour and familiare to our soverane lord, zour bruder and nephieu, is now to pass to his grace to the partis of France, and, for eschewing of perrell and danger of seyis, desyris to have passage thairto, throuch zour realme of Ingland, but taresum impediment: Heirfore, rycht excellent, rycht hie and mychty prince, we pray zou, at this our requisitioun, to grant zour lettres of salfe conduct and sure pasport to the said abbot, and with him in cumpany uthiris sextene personis, horsmen or futemen, or undir, sallie and surelie tocum within zour realme of Ingland, on horss or on fute, be sey, land, or fresche watter, thair to remane and do thair lefull erandis and besynes, and at thair plesour to pass throuch zour realme with thair horsses, alswele stanit as geldingis, bulgettis, ferdellis, jowellis, money, gold, silver, cunzeit and uncunzeit, lettres cloiss and patent, and all uthiris gudis lefull; and in sic wiss to pass and repass, alsoft as thai or ony of thame sall think expedient, without ony trubill, arreste, or serche at zour toun of Caliss, or ony uthir toun, port, or passage of zour realme; with licence to the said abbot, or ony uthiris of his cumpany, to by ony maner of merchandice within zour realme, and cary the samin quhair thai pleiss, be sey or land; and zour said salff conduct for the space of ane zeir nixt eftir the dait of the samyne, according to the peax, to indure; lyke as we in our soverane lordis name sall glaidlie grant salff conductis to zour subjectis, in semblable maner, at zour desyre. Rycht excellent, rycht hie and mychti prince, we pray God have zou evir in his blissit tuitioun.—Gevin undir our soverane lordis privie seill, and

¹ State Papers—Scotland, Henry VIII. vol. v. No. 2—Public Record Office, London.

subscripcionis of ws Regentis of his realme at Edinburgh, the sevintene day of Februar,

Be zouris, with all lefull seruice,

GAWAN, ARCHEBISCHOP OF GLASGW, Chancellor.

WILLZAM ERLL OF MONTROIS.

ROBERT MAXWELL.

To the rycht excellent rycht hie and [my]chti p[rince Henry] [Ki]ng of Ingland.

32. GILBERT THIRD EARL OF CASSILLIS, ROBERT FIFTH LORD MAXWELL, and others to HENRY VIII., King of England. 19th January [1542-3.]¹

SCHIR,—Plesit zour graces Majeste, efter our departing fra zour graces Majestie, we arryvit at Dermtoun the x daye of this instant moneth of Januar, quhar as we met with the Erll of Anguss, and he schew ws zour Majesteis writtingis, direckkit fra zour Majesteis maist noble counsall, quhilk writtinges arttit ws to the cummyn of the Erll Boithwell and Schir Rechert Southwell, zour Maiesteis seruand and counsallor ; and thare, devysand with thaim, remanit two dayes, as we beleif the said Schir Rechert his schawin zour Majeste. Thar efter we departit to the Newcastle, quhar as we spak with my Lordes Wardane and Presedent, quhilk causit ws to depart, and cum abak over Stanmuire, becaus that waye was appoyntit to ws to pass, be zour Majesteis counsall, or we departit fra court. This maid ws in ane part langsum in our travell ; and this Wedinsdaye, the xvij daye of this said moneth, we come to my Lord of Cumberlandis place of Brwne, quharas zour Majesteis wardaine, Schir Thomas Whartoun, met ws. My Lord of Cumberland and he come to Carlcle, the xix daye of Januar. Thar my Lord of Cumberland and he ressavit our plegges, and deperthit ws, conforme to zour Majesteis commande, with dilligens that, God willing, this xx daye we depart to Scotland. And quhen we cum thar we sall advertis zour Majeste as all thingis occuris for the tyme, and send the samyn to zour Majesteis wardane, Schir Thomas Whartoun. quhilk will caus the

¹ State Papers—Scotland, Henry VIII. vol. vi. No. 2—Public Record Office, London.

samyn to cum to zour Majeste with dilligens, quhom God preserf everlestyng.
Of zour Majesteis town of Carlleil, ye xix daye of Januar.

Be zour Majesteis maist humyll suitouris and pressneris,

G. ERLI OF CASSILLIS.

ALEXR. ERLI OF GLENCAIRN.

ML. CHALMERLAN.

To the Kinges Majeste.

MAXWELL.

33. ROBERT MAXWELL, son of Robert fifth Lord Maxwell, to MATHEW
FOURTH EARL OF LENNOX. 23d February [1544-5].¹

Rycht honorable,—Plesit zour Lordship to be advertest, I ressavit zour lettir fra John Douglas, datit at Carlyle the xx day of Februar instant ; and in your Lordship's lettir I persave that ze think the credit sent fra me be John Dowglas to be of [too] greit importance to be sent by moutht. Tharfor zour Lordship hes thocht gude to send the said Johne Dowglas to me againe to know clerly quhat I will do to the avancement of the Kynges hienes efferis and zowrs in this realme, that thairupone ze may be ane sutor to the Kyngis Maiesty for the releif of my fathir, quhill I haif and will desyr of zour Lordship. And zour Lordship writtis to me that, quhair I say, and my fathir beand at libertie in Scotland, I will deliver to him al his howss, rowmis, and effitis, and serve his Lordship at my power, and [thoise] wordis, zour Lordship thinkis sun thing strange ; but I suld do in every thing my fatheris commandment, he beand on lif. My Lord, as to the credence sent fra me by Johne Dowglas to zour Lordship, it was to my fulage opinion to the woill of the setting forwart the Kinges Majesteis efferis and zour Lordship's in this realme, and to the common woill of bayth the realmis. And as to gar zour Lordship know quhat I will do for the advancement of the Kyngis hienes efferis and zouris in this realme, I know nocht in quhat sort I suld advertes zour Lordship that may stand with the Kyngis hienes maist honeiribill plesour and zour Lordship's, and to be the liberte of my Lord, my fathir. Tharfor gif it will stand with zour Lordship's plesour, I desyr zow to send me advertisement of sic

¹ State Papers—Scotland, Henry VIII. vol. viii. No. 5—Public Record Office, London.

thingis, gif it lyes in my powar, as may be to the Kynges Maiesty plesour and for the liberte of my fathir. My Lord, I am surly advertest of the soit ze haif maid to the Kyngis Maiesty in my fatheris fawor; of ye quhilk I think me adettit to do zour Lordship serviee for the samyn. My Lord, I desyr zour Lordship hertly that ze wald be so gud Lord to me as to fynd the mene, that I myeht haif lieence to ane serwand to pass to my fathir with sik neecessaris as he hes written for, and that I myeht knaw mair perfittly of my father's mynd, quhat his plesor is, and quhat poynt his Lordship is at. My Lord, I fere my Lord Quhorten be awill to me in this eause anent the lieence to ane serwand to pass to my father, albeit I haif deservit lytill unkyndnes to his Lordship as zett, and hais had mekill occasioun to haif done the werst that was in my pwr power towart hym. I pray your Lordship remembir how hardly my father was handillit in this realme for the favoring and setting forwart the Kyngis efferis. My Lord, to conelude with zour Lordship, I will leif nothing undon for the liberte of my fathir that lyes in to my power as ane sone acht to do to ane gud father. I will awayt apone advertesment fra zour Lordship agane. And thus God preserve zour Lordship, and gud heyll. Of Drumfress this xxiiij of Februar.

Your Lordship's to comand,

ROBERT MAXWELL.

[To the rieht honorabill Erle of Leonax.]

34. MATHEW FOURTH EARL OF LENNOX to ROBERT MAXWELL, son of Robert fifth Lord Maxwell. 25th February [1544-5.]¹

The eopy of ane lettre sent by my Lord of Leuenax to Robert Maxwell, ansuerand ane writting of his ressavit the xxiiij day of Fabruuar.

Raeht honorable,—I commend me unto zow. I have ressavit the lettres by this berar of the xxiiij of Fabruuar, whairin ze wryte that ze know not in quhat sort ze shuld advertis me that may stand with the Kingis Majesteis plesour and myne, and to be the liberte of my Lord, zour fader, and thairfor dissyris me to

¹ State Papers—Scotland, Henry VIII. vol. viii. No. 6—Public Record Office, London.

send advertisment unto zow of sic thingis, gif it lay in my power, as may be to the Kingis Maiesteis plesor, and for the liberte of your father, as your lettre at moir lentht amongis vtheris thingis proportis. To advertis zow ze wryte nocht that ze will do those thingis may be to the Kingis Majesteis plesour or the releif of your father. And whair ze wryte, that I have bene ane sutour for his Lordschip, treuth is I have been so to the Kingis Maieste, and wold be glaid to have occatioun by zow and vtheris his freindis to continew my sute ; and thairfor wald have zow mair effectuish to set furtht thingis to that purpois. I know your father haith writtin unto zow heirtofoir that zow and all vtheris within his rowmis should shue and do in all thingis to the Kingis Maiesteis plesour, whiche ze and they have nocht done accordantlie. And for my awin oppynzeoun, seyng that zour fatheris plesor and commandment, it shuld be wele done of zow and zem dewile to schew zour self to obey that commandment, and to offer his howsis, freindis, servantis, and rowmis to be at his will to serve the Kinges Majeste accordantlie, and not to do in eny maner of wyis quhairby ze shuld displeis his Majeste, and zow to be the verry lett of zour father's liberte. And as zour mynd shalbe heirunto that ze will ascertain me by zour lettres and vtherwyis quhairunto I may gif trust ; for I will nocht onlie send to my Lord zour father of all proceedingis betuix zow and me to my knowlege, but also intendis to mak huole sute to the Kingis Maieste, as by his Lordship and zow and vtheris of his gevis me occatioun to do the sam ; with myne honour. Also I have spokin to my Lord Whartoun for ane sauf conduct that ane servant of zours may pass with necessaris to my Lord zour father ; whiche he hes grantit, and sayis that he did send ane vther conduct afoir this, and that he never denyit zow theirof, and to advertise zow, Gibbe Yrrewing this berar sayis to me that Thomas Bell, zour man, said to him that for the Lard of Tulybardin he wold do for him and his servantis the plesour he culd in Scotland ; and for my servantis, or Thomas Bischopis, gif he culd tak ony of thame in that realme, he wold do thame the displesour he culd. To lat zow witt I mervel of thoise wordis, ze beand ane sutor to me for your father, that ony servant of zours shuld use sic wordis in your cumpany, and moir, that ze favor that fals fallow that hes brokin his lawte heir to the dishonour of the Lard of Tulybardin and Thomas Bisshop, and to say sic wordis of ony of myn. I beleif ze will compell him to do for discharge of his souerteis, and lat him

knew he has not said wele to the displesour of my servantis ; and God keip zow. Of Carlisle, the xxv day of Februar.

Zouris,

MATHEW ERLE OF LEUENAX.

35. ROBERT MAXWELL, son of Robert fifth Lord Maxwell, to GILBERT THIRD EARL OF CASSILLIS. 24th March [1544-5.]¹

Eftir my hertly commendacioun to zour Lordship, to advertes zour Lordship : It is shavin in that ze ar laitly cum fra ye Kingis Majesty, and is in Carlil. It is nocht unknavin to zour Lordship that my Lord, my fader, the Kingis gravis presonar, is in his gravis ward in the tour of Londoun, as I am informit. My Lord, this is the caus of my writting to zour Lordship. I haif at sondry tymes desyrit to haif knowlege at my Lord of Lenoyis, and the Lord Quhortoun, and sondry uthir gentilmen in that realme of Ingland, of sic thingis as suld stand to the Kingis Majesties plesour for the liberte of my Lord my father ; and gif it be in the poweris of ws that ar seruandis to his Lordship to mak the caus that may be his Lordship's liberte. And now I will desyre zour Lordship, as my gud Lord, gif ze haif ony knavlege of the Kingis Majesties plesour toward my father in the efferis above written, that I may haif advertesment of zour Lordship. And forther, that zour Lordship wilbe sa gud as to send me zour Lordship's consale quhat is the nerrest way to me to do for his liberte. My Lord, it is shawn me that thar is sic ane broit into that realme of Ingland rasit be my unfrendis, that I suld nocht be obedient to my Lord my fathir, nor desyrus of his Lordship's returnyng in Scotland, quhilk and that war trew war ane foule part for me ; but I assur zour Lordship, quha sa evir swa sais, it is nocht the troucht, and I will leif na thing undone for his Lordship's liberte at my pour power that ane sone may do for ane gud fathir. I will await apoun som ansuer fra zour Lordship of this writting, gif it will stand to zour plesour. And saa fair ze hertly weill. At Dvnefres, this xxiiij of Merehc.

Zoures at my power,

ROBERT MAXWELL.

To the Rycht Honorable my Lord of Cassillis.

¹ State Papers—Scotland, Henry VIII. vol. viii. No. 10 (1.)—Public Record Office, London.

36. ROBERT FIFTH LORD MAXWELL to Mr. WILLIAM PAGET, Secretary of State.
[March 1544.]¹

My Lord,—Efter mosst hombyll eomendassyon, it walld pleyss zour good Lordshepp to be ramenbeyrit quhow I am heyr this lang tym in pressoyn, at the eommand of the Kyngis Maystey, and upon seylk wrang raport is hays beyn maid apon my sampelyllneyss and eowm to the heyrin off heyss Maysstye, maid be swm Seottis men, my onffrendes, apon warray mallyss, had at me for sylk eawyiss is hayss prosseidit amang owr schellffes. I walld besseyk [zour] Lordsseheyp, for the lowyff off God, to be my say gud Lord to . . . my mater to the Kynges Majsstye, or to my Lordes graces, a . . . Lordschippis of Consseyll, that I may hayff my mater tryet, and sall reffewss noy gentellman of Ingland to be of my tryall. And geyff I be fwnd that I hayff not beyn trew prewssanar and serwand on to heyss Maysstie sen I gayff hem my fathte, I am content to rassayff the mast wylld deid that may be geyn me; or, geyff hanny Seottis man that hayss said it on me wyll bid at it that I hayff fallyt in my lawteye to the Kyngis Maisstye, nocht beand hys trew pressonar sen heys grace gayff me my lyff and leberteye and leyff to gay in Seotland, I sall preyff the contrarye on hem boddy for boddey befor quhat jwges the Kyngis Maisstye wyll give that tyll deth I never deid fallss to heyss Maysstye, nay hother Kyng that ever I serwyt affor heyss heynneyss. I beseyeh zower Lordeschip to mowyf the Kyngis Maysstye that I myeht be broecht befor the Conseyll, owder to try my sehelff ane trew man to the Kynges Maysstye, or to rassayff my deytht. My Lord, and ze walld spek to my Lord of Hartffwrd; I trast heyes Lordsseheyp walld spek for me, be eawyss I schoeht ferst to heyss Lordsseheyp quhen he was in Seotland wytth ye Kyngis armyes, efter the greyt treveyll I haid ther for the Kyngis sayk thar. My Lord, I hayff leyn lang heyr ane pressenar, bidand the Kyngis grace, and ean get ney passaygis to nay thyng to eum owt of Scotland, geyff this walld geyff me hanoy thyng of my awn, and is say puir that I am assamyit to wryt it to zour Lordship. Thairfor I pray zou that I may hayff ssome of ye Kyngis mynd toward me, to know heyes marehe and quhat heyss heyneyes will is, that I may do the

¹ State Papers—Scotland, Henry VIII. vol. vii. No. 5—Public Record Office, London.

saym. Geyff my sson hayss nocht down the thyng, seyn my cumin heyr, that standis wytht the Kynges plessour, he sall never hayff nay thyng of myn in Scotland that I may halld fra hem, and my mallason ; and geyff he hayes serwytt the Kyngis Maiestye to heyss powar, I walld besseyk the Kingis Maisstye to be gracewyss tyll hem, hotherwyss not. My Lord, all that I hayff said or offyrit to do and send to the counsell in wrytting wytht Masser Marson or hony hother thyng that I hayff wrytting or said I am redey to ffullffeyll it in deid, quhen the Kyngis Maissteyc pleyisses ; besseykand zow, my Lord, that I may [have] swm ansswr allss son as zowr Lordschepp may gait me it, or geyff it walld pleiss the Kynges Majestye to send me honoy, zowr Lordscheyp, or hony hother, that I mechyt declar my mynd toward the Kyngis Maisstyes serwys mor ampley nor I can wryt. I feyr my wrytyng can not be raid be zour Lordship, my masster leyftenand wyll not that nay man wrytt for me, wythowt I gait leyff of my Lordis of Conseyll, quhelk I pray zowr Lordship to gat me, and God so presseyr zowr Lordship.

The Kingis pwr pressonar,

MAXWELL.

To the rycht worsschepfull master Paget, saycretar to the Kingis he Maisstye be this delyvcrit.

37. GILBERT THIRD EARL OF CASSILLIS to ROBERT MAXWELL, son of Robert fifth Lord Maxwell. 25th March [1545.]¹

To my trest Cwsen the Maister of Maxwell.

TREST CWSEN,—I comend me hartly to zow, and haith ressavit yowr lettres this xxv day of Merche, qwharby I haif had communication with my Lord of Lenox and my Lord Warden, and they say that ze never wryt no thing to them anentis yowr fader, bot they send yow ther answer and awyis therinto ; and as for me, I had no special commoning with the Kingis Majesty anentes the pwtting of my Lord, zour fader, to liberty owt of the Towr. Bot I persewit be his gravis commoning that his grace wold be content that the peax and mariage

¹ State Papers—Scotland, Henry VIII. vol. viii. No. 10 (2.)—Public Record Office, London.

of wr Sowren Lade and my Lord Prence mycht tak effet swa that he war swir of the saim ; and for my cwnsel, I think ze, and all that perteinis to my Lord zour fader, sowld, for dyweris consedracions, help to set forwartis at zour power the Kengis Majesties gwd pwrpois in that behalf, or one thing that mycht be pleswr to his grace that war nocht contrer the weil of zour realm, the qwhilk I asswir zow his grace myndit no sic thing, and swa qwhon his Grace sal see zow proceid in that maner. Indeid, ze may be swir his Grace hais na sic malik agenis my Lord, zour fader, or one nobleman of wr contre ; bot he wil schaw them gentilnes geif they and ther friends wis them frends fwly in that thing that may stand with the weil of wr realme and his Graces pleswr ; and farder, I defer to my coming in the contre, quhille I trest sal be swn, and preyis God to haif zow in His keippin : At Carlel, this xxv dey of Merche, be

Yowr asswrit freind,

G. ERLI OF CASSILLIS.

38. ROBERT FIFTH LORD MAXWELL to the LORDS OF THE PRIVY COUNCIL OF ENGLAND. [*circa* April 1545.]¹

It may plaise your moost honnorable Lordshippis to undrestand that I am here the Kingis Majesties prisoner, and hath so offendyd hys Magestie that I am at hys Hyghnes marsye, and wythcowt hys Magesties pardon I cownt my selfe but a ded man : wherfore mooste humble I beseche your good Lordshipis to be meane unto the Kyngis mooste excellent Magestie, that of hys mooste bowntifull goodnes to take me to hys marsie, and to pardon me of myne undeservyd lyfe. And yf yt shall please hys Magestie to be so good lord unto me as to gyve me hys moost gracious pardon, and to receyve me as hys Magesties subjecte, I shall not fayle to doo hys Magestie suche servys that no Scottyshe man shall doo the lyke consernynge the west parte of Scotland uppon the border ther ; and for the perfurmanns of thys myne offer consernynge the Kyngis Magesties profet and pleaser in that behalfe, I shall mooste humbly and beseche your good Lordshipis to take the payne to speake wythe me, and that I may declare unto your Lordshippis the hole effecte

¹ State Papers, Scotland, Henry VIII. vol. viii. No. 20—Public Record Office, London.

of myne entente, and by that your Lordshippis hathe harde myne entent, your Lordshippis shall perseyve yt bothe profytable and comodious for the Kingis Magestie as knowythe ower Lord God, who preserve youe wythe long lyfe and helthe wythe great encrease of honor.

ROBERT MAXWELL.

To the Right Honorable the Lordis off the Kyngis Magesties most honorrable Privy Counsell.

39. The SAME to the SAME.—[April 1545.]¹

YT may please yowr most honerabyll Lordchypes to be advertysyd that by the leve off Mr. Levetenaunt I dyd wryt a lettyr onto your good Lordchypes to be mene onto the Kynges Majeste for hes Hyghnes most grachyos pardon, and that onys grantyd, I schall most umbly beseche hes Majeste to exsepthe me hes Hyghnes servant and sobgett, and for the same I schall not fayle to do hes Majeste seche servys as no Scotyshe man schal do within the Relme of Scotland. My good Lordes, I do not deseyre leberte but that I may goo to Carllyle and to ly ther presoner, to the entent I myght practyse with my sonne and my systyres sonne, with othur off my frendes, whom, as I do think yff I be knowne to be at Carllyle, wyll come and speke with me ; and yff they do come to, as I do not dowght that they wyll, then schall I be abyll to make some recompense for my gret trespas ageynst the Kinges Majeste. For I do know yff they se me ther, they dare kepc nothyng from me that I schall command them to delyvyr onto the Kynges Majeste, or tho hes Hyghnes lefftenant. Onny castell or othur hold off myn that is comodyos onto the Kynges Majeste for the entry into Scotland censing the west border, I shall delyvyr it with the rentes, revenewys, and my tenants, with all my frendes to be rede, bothe I and all the rest, to serwe the Kynges Majeste assewrydly. For yff hes Majeste do geve me mye undeservyd lyff accordyng to my most wmbyll request, then am I bowndon to ley my handes undur hes Majestes fett, and to serve hes Hyghnes whyllst I have won droppe off blod within my body. More it may

¹ State Papers—Scotland, Henry VIII. vol. viii. No. 21—Public Record Office, London.

plese your good Lordchypes, that yff it may stond with the Kynges Majesties plesour to geve myne advyse onto the Kinges Majesties lafftenant concernyng the entry into Scotland, I do not dowght but I schall do bothe good and profyttabyll servys concernyng the same. And yff I may by my polyse delyver the Kinges Majeste seche castelles and holdes with my londes and revenevys comodyous for the same, that then it myght stond with hes Majeste plesour to geve onto me the lyke lyvyng here within thys his Majestes realme off Yngland, and for thys and all othur I shall do as moche in the accomplysment of the as my lyff and powyr wyll extend, as a serwuant and sobgett owght for to do.

Thus I most umbly beseche your good in the wey of charyte, to be mene for that I may come to my pretensyd good and servys towards the Kynges Majeste, and ha heyghnes favyr and hes most graschyos p[ardon] for the weche I shalbe most bonden to prey onto Allmyghty Good for the prosperus estate off the Kinges most royall Majeste long to endeor, and for all hes Majestes most honerabyll counsell.

ROBERT MAXWELL, the Kynges Majesstye
pour pressoynar in the Towr.

To the ryght honerabyll the Lordes off the Kynges Majestes most honerabyll Pryvay Counsell.

40. EDWARD SEYMOUR, EARL OF HERTFORD to ROBERT FIFTH LORD
MAXWELL. [18th June 1545.]¹—Copy.

MY LORDE,—I comend me unto yow and have receyved your lettre, by the which I do perceyve in the first parte your sones procedinges with yow, and what lettres yow have receyved from him, and also from the Erl of Anguishe, and in the second parte your desire to have the Kinges Majestes licence to enter into Scotland for the space of one moneth, for that you thinke your lyeng at Carlisle without more liberte cannot be so moche to the advauncement of

¹ State Papers—Scotland, Henry VIII. vol. viii. No 39—Public Record Office, London.

the Kinges Majestes affaires as yow desire. For answere wherunto to the first, to tell yow myn opynyon, me thinketh your sone doth moche forget his naturall duetie towards yow being his father, whose welthe yt nowe well appereth he dothe litell regard, when in so small a matier as to com and speke with yow uppon saiffe conduit he refuzeth to accomlishe your desire. And to the second, touching your desire for the Kinges Majestes licence to enter into Scotland, to give yow myn advice in that parte, ye shall do well to suspend that sute for sondry respectes; and for my parte, I thinke yt not mete to make any suchc sute to the Kinges Majeste, supposing that, forasmoche as your doinges and procedinges towards his Majestie hath byn noted and suspected when yow were in Scotland, yf yow shuld nowe make sute to enter before som better ffuyt of your service may appere then hitherto hath folowed, yt might be a meane to bryng yow into a ferther mystrust and suspicion, althoughe peradventure their might be founde no great cause thereof on your behalf, whiche moveth me to staye your sute, chiefly for your owne comoditie, and also for that I doubt not but being so well mynded to serve the Kynges Majeste as yow have promysed, ye may as well by your lettres travel to induce your friendes to that effect and purpose, as if ye did speke with theym personally your self. And being in Carlisle, yow shal have no les liberte for the working of the same then that yow may at all tymes convenyent speke with such of your friendes as upon sauf conduit woll repaire unto yow, or ells wryte to theym with the advice of my Lorde Wharton, as from tyme to tyme yow shall thinke requysite for the better advancement of the Kinges Majesties affaires. And forasmuch as yow knowe ryght well not only his Majestes good inclynacon and gracious intent and purpose towards the common weale of the realm of Scotland, and that his Highnes desireth nothing ells but the advancement of the peax and marriage, in such soorte as the same may best take good effect, but also that howsoever his Majeste hath byn used by those whiche, by his Highnes liberalitie and goodnes, arr obliged to do all that in theym lys for the satisfaction of his gracyous and godly purpose, thoughe their were no respect therin to the weale of their owne countrey; yet his Majeste, of his clemencie and goodnes, ys content to remyt all things bypaste, and to be as good Lorde to theym as ever he was, yf, from hensfurthe, they shall effectually showe theymselves willing and forwards taccomplishe his said moste godly

purpose, tending only to their owne benefite and the universall weale of their countrey: Wherefore yt shalbe well done, in myn opynyon, that yow write and advertise the same aswell to my Lorde of Anguishe, S^r George Dowglas, and suche others as yow take to be the Kinges Majesties freindes in Scotland, as also to suche of theym as woll repaire to yow to Carlisle, ye may by tongue declare the same, which, if they tendre their owne honors, or the common weale of the realme, may induce theym to considre the same, and to applye theym selves thereunto as apperteyneth. This waye, I thinke, ye may do gret benefit to your countrey, and for your owne parte, like as I am sure yow have in good remembrance what you have promysed. So I doubt not ye woll endeavor your self taccomplishe the same accordingly. Thus fare yow well, etc.

The copie of the lettre to the Lord Maxwell.

41. THE PRIVY COUNCIL OF SCOTLAND to ROBERT FIRST EARL OF NITHSDALE.
Ante 7th February [1627].

After oure verie hairtlie commendations to your good Lordship: We ressaut your Lordship's lettre towcheing your not keeping of this dyet for the bordour affairis, and we conferrit at lenthe with the Laird of Johnnestoun anent the exemptioun and aduocationis alledgeit to be the ground of the present disordouris wherin he seamed to cleir him selff and his freindis, as not being accessarie to ony suche disordouris. Bot becaus we wer ignorant of the particularis, and nane of the Commissionaris for the west marche who could gif ws light thairin being present, we haif thairfoir continewit all forder medling thairin till the sevint day of Februaire nextocome; and we haif writtin to all the Commissionaris to keepe that dyet preceislie; and wheras this bussynes cheiflie conciernis your Lordship, as he whose pouer and freindship may most advance the same for his Majestie's contentment and goode of the cuntrey, we will thairfoir eirnistlie requeist your goode Lordship to keepe this nixt dyet, to the intent that by your Lordship's presence, counsell, and concurrence, suche goode courses may be resolued vpoun as offendars may be pvneist and

the forder growthe of thir disordouris preventit : And so, committing your Lordship to the protection of God, we rest,

Your Lordship's verie assured goode freindis,

Geo: Cantwell?
J. Mar.
Samuel of the
Hadinton *Reoburn*

To our verie honnorable goode Lord, the Earle of Nithisdail.

42. GEORGE VISCOUNT OF DUPPLIN, CHANCELLOR OF SCOTLAND, to ROBERT FIRST EARL OF NITHSDALE. 11th August 1627.

After my very heartilie commendatiouns to your good Lordship : Whairas the King's Maiestie haveing seene the letters sent from the Commissioners for the surrenders by Sir Archibald Achesoun, and heard his relatioun of the particulars committit to his trust, and having lykewayes heard these sent from the sellers and buyers of teyndis, and the offer made in name of the buyers, to submitt to his Maiestie the differences controvertit betuixt thame and the sellers, anent the worthe and pryce of the teyndis, and to oblige thameselves to make all the heretours in thair cace to doe the lyke, and the others sent from the teynd maisters not seeming to his Maiestie so weill warrantit to submitt, his Maiestie hes, thairfoir, continued all farther proceeding thairin till he ressave ane effectuell submissioun frome thame to that effect, als well anent the teyndis as the surrenders of superioriteis and few dewteis, quhilks he requires to be sent against the first of September. And becaus I could not

weill foirsee how so great a number interest and residing in manie remote pairts of the kingdome, could convenientlie come to this toun before the xxix of this instant, I have humblie intreated his Maiestie, by a letter, to pardoun the delay till that tyme, promising to wairne all haveing interesse to keepe that dyet, to the intent they may send thair direct answer against the seventh or eight of September : And for this purpose I will earnestlie desire yow to be in this toun of Edinburgh the said xxix day of this instant, and to resolve to give that answer to his Maiestie in the premiss, quhilk may give him best contentment, since it is not to be doubted but his Maiestie will deale justlie and gratiouse with all pairteis : And so assuredlie expecting your Lordship's presenee, I committ your Lordship to God.—From Edinburgh, the xi of August 1627.

Your Lordship's verie good freind,

GEO: Cancell^s.

To my verrie honnourable goode Lord, the Erl of Nithisdail.

43. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND to ROBERT FIRST EARL OF NITHSDALE. 20th December 1627.

After our verie heartilie commendatiouns to your good Lordship : The disordours and thifts arissin of lait within the boundis of the middle shyres, and the frequent and avowed resort and ressett of fugitiues and outlawes within the same, hes moved his Majesteis Counsell to appoint a meeting of the whole Commissioners to be heere at Halyruidhous vpoun the seveintein day of Januar nixt to come, to the intent that, after conferenee among thame selfes, thay may represent to the Counsell the causes of thir disordours, and the best way how to redresse the same, that aecordinglie some solide course may be taine, als weill for punishing of the present as for preventing of future disordouris in tyme comming. And, thairfoir, these ar to requeist and desire your good Lordship, that, all exeuss sett aside, yow keepe this dyet precieselie, quhairthrow this seruice whilk imports so neerelie the peace and quyet of the

countrie be not neglectit nor frustrat : And so resting assured of your Lordship's precise keeping of this dyet, we committ yow to God.—Frome Halyruid-hous, the twentie day of December 1627.

Your Lordship's verie good freinds,

GEO : Cancell^r.

J. MAR.

HADINTON.

ROXBURGH.

ARSKYNE.

ARCH. ACHESON.

To our verie honnourable good Lord, the Erle of Nithisdail.

44. The SAME to the SAME.—9th June 1629.

After our verie heartilie commendatiouns to your good Lordship : Whereas Robert Brambe alias Bramble, of _____ in the countie of Northumberland, Esquire, being nominat be the King's Majestie to be Shireff of the said countie, and he being writtin to be the Lord Keeper of the Great Seale of England to haue accepted the charge, and to haue execute the same according to the trust reposed in him, yitt as his Majestie is informed he hes most vndewtfullie to shunne the said charge withdrawin him selffe towards this kingdome, slighting and neglecting thairby the performance of his said charge, to the high and proud contempt of his Majesteis auctoritie, and disgrace of his governement : And, thairfor, these ar to requeist and desire your good Lordship to make diligent inquirye and searche for the said Robert throughout all the bounds of your office ; And if yow can gett notice of him, that yow caus execute thir withinwrittin lettres aganis him, charging him to compeir before his Majesteis Counsell at suche a certane day as yow sall appoint, being ather vpon a Tuisday or Thursday vpoun sax dayes warning ; and that yow report the saids lettres dewlie execute and indorsat to his Majesteis Counsell after the executioun of the same. Quhilk looking assuredlie yow will doe, as yow respect his Majesteis pleasure and contentment, speciallie in a mater of this

kynde, quhairin his Majesteis honnour is so farre ingadged, we committ your Lordship to God. From Halyrudhous, the nynt day of Junij 1629.

Your Lordship's verie assured good freindis,

J. MAR.

HADINTON.

LINLITHGOW.

S^r THOMAS HOPE.

To our verie honnourable good Lord the Erle of Nithisdaill, to be showin be him to the remanent Commissionouris of the Middle Shyres.

45. Letter sent by the COURT OF KING CHARLES I. to the COURT OF
LOUIS XIII., KING OF FRANCE. [*circa* 1630.]

The iust copie of what was sent over, with the answer to the articles.
Ce. F. Ca.

As weall the articles now last broght, as the considerations wpon tham, haith been seen and well weyghed; and howsoever the articles, for what is omitted in one materiall poynt, and requeyred in tuo other, doe nocht give full satisfaction, and the discours wpon tham for the haille subiect is verie offensive, yett this favorable interpretation is maid of bothe, beyond all which haith bene yett seen tending to reconcilment, that the intension is good and reall: which, on this syde, is fullie ansuered, and by God's blessing may cum to a good and spedie resolution. The explanation of the articles in sum wirts is recommenditt to the sam messenger, whoe is desyered to say this much touching the considerations, that thocht ane amnestia (which is the common cours of reconsylement of princes) wer best, yett give the rulle of accommodation of quarrels betuixt privatt men, in looking back to the first and originall caus, and degrees of falling out, be thocht the better wey to returne to ancient friendship, it is nocht heer dedyned, bot in this cace we must nocht begin with the sending away of the Frenche, which was rather ane incident then a subiect of the quarrell. Yet this consideration may bee fitlie had heerwpon, that wheras all consort and contentement

was hoped of by the merche, those Frenche which cam with the Queene, breeding a contrarie effect, by troubling the peace, bothe of his Majestie's Court and Kingdome, that which was good was recteyned, and the bad removed : of which the happie effects haith been seen since, by the great contentment, bothe King and Queene enioy betuixt tham selves, and the haill kingdome, in the true sence they have of that prince's happines, in place of the molestation and truble, which, as the one felt, the other beheld with grieve. The true caus of the breach was a manifest rupture of ancient treatyis stipulated be former kings, and mutuallie confirmed by those now rainging, with expreslie condisionating that noe accident whatsoever at sea, should caus anie seasure at land, or in the rivers, or havens. Contrarie heerunto, wpon the taking of certayn shippes fraughted with enemies goods, (which the lawes and practis of bothe lands doeth iustifie,) whylest that bisines was in proccesse in England, all English merchants shippes goods and debts were seased in France, and soe held even in the Frenche King's vewe in his good toun of Paris, and in the face of his Maiestie's ambassadors then present, notwithstanding manie promises were maid for the release; and in consequence heerof a whole fleet of English marchants of wyne, exceding 100 sayle, with the goods, after payment of cusuall customes, seased and confiscated in the river of Bu[r]deaux, and master and mariners betuixt thre and four hundreth exposed to much miserie. Heerunto is to be addett that the Frenche King, ioyntlie with his confederates, being in warre with the Spaniard on the other syde of the mountaynes, at the sam tyme as his Maiestie, in his sister's quarrell, much agravated by the Frenche, was broken with Spayne; and the Frenche King pretending onlie to want peace in his oune kingdome to pursue with more vigour his warre abroad, (for the obtaning wherof he had the ayde of sum of his Maiestie's ships before Rochell, and the industrie of his Maiestie's ambassadoris be his Maiestie's expresse order at Paris,) no other euse was made heerof, bot to caus the burding of the Spanish warre with the Spanish confederats in Germanie to fall wholly wpon his Maiestie and his, . . . both by sea and land, to the wtter extirpation of the . . . of France in Germanie, and the conversion of a forrain . . . warre into a civill, to the ruync of those of the relig[ion in] France, for whose securatic his Maiestie, at the . . . the French King and his chiefe ministers, had [giuen his] royall word and promiss. Nothing can seam more [stran]ge then denyall

of this engagement, while those ar[ound] and neer about his Maiestie, whoe ar reddie to give testimonie heerof upon thar honours, and of four persons of qu[alitie] can challenge thre yett living whoe went toe and fro continuallie betwixt the Frenche King and Qucen mother, with ther chiefe ministers and the ambassadouris, to vitnes the truthe of all that passed, which was in fue words an aversnes of the deputies of the religion to submitt thamselves, . . . doubting former fayling of promess they complained of, desyer that the English ambassadors wald imploy themselves with them, which was openlie done for some deys together in the hostell de Chevreeuse, publick instanee of such forrayine ministers as were confederatt with France with the English ambassadors to work powerfully with the deputies of the religion: a good effect of thar endeavours by the submission of these deputies to the Frenche King, even at the poynt of his greatest necessities, and aknolegement of thanks maid by the Frenche King, Q. mother, ther chiefe ministers and confederatt ambassadouris to the English, as for a fruitfull office both [to] the publick and that croun in particular. Wherefore, since his Maiestie earnestlie desyered, and as then thankfullie acknoleged, intersession broght those of the religion to a kynd of constrained submission by such offisis his ambassadors passed with tham, housoever his Maiestie doeth nocht pretend to have [anie] weyis to doe with the subiects of ane other prince, yett [haith] reason to expect, and still thinketh himselfe enga[ged in] honor and promis to sie tham, in als much as . . . him in the sam state of safetie and libertie they [were] before his intersession, otherweyis it myght bee pre[judged] to his Maiestie's great dishoner, that in place of doing fo[r those] of the religion he had betreyed tham; and this being the steat of this bissiness, his Maiestie's assistance given to those of the religion in that extremitie, wherunto he was obliged by promess, may weall admitt a moir favorable construction then is made of itt; and nather counsels nor actions are to be condemned for the events, nor the power of a great king to be contemned, wher his kingdome sall be als weall for their oune safatie engaged in the quarrell, as the King him selfe now was for his honor, when necessatie will give the same motion to the whole body as now ane obligation of honor did to sum voluntaries. And this his Maiestie doeth wish, als weall for the true sence he hath of the publick good as the particuler affection he beares to his dear brother, (with whom he is soe contentedlie mached in allyance that

he noe weyis repents itt wpon these ill accidents,) may be rather prevented by a good and tymly reconcyilment then proved for reparation of that honour the [. . se] wherof, which myght have been more sparinglie objected, may be easily recovered wpon anie iust occasion.

46. PROPOSED ARTICLES OF PEACE between CHARLES I., KING OF ENGLAND, etc., and LOUIS XIII., KING OF FRANCE. [*circa* 1630.].—Copy.¹

Articles de Paix entre les deux Couronnes.

1. Primerement, les deux Roys demeureront d'accord de renouveller les anciennes alliances entre les deux Couronnes, et garder inviolablement avec ouverture de commerce seur et libre ; et pour le regard dudit commerce, s'il y a quelque chose à aïouster ou diminuer, se fera de part et d'autre de gré à gré, ainsie qu'il sera iugé à propos.

2. Et d'autant qu'il seroit difficile de faire les restitutions de part et d'autre des diuerses prises qui ont este faictes durant le guerre ; les deux coronnes sont demurees d'accord qu'il ne s'en fera aucune, et ne s'accordera aucune represseille, par mer ou autre fason quelconque, pour ce qui s'est passe entre les deux roys et leurs subiectes durant ceste derniere guerre.

3. Quant a ce qui regarde les articles et contracts du mariage de la Royne de la Grand Britagne, ils seront renouvelléz de bon foy ; et pour ce qui concerne le maison de la Royne, s'ill y a que[l]que chose a adioyster ou diminuer, se fera de part et d'autre de gré à gré, ainsi que se sera iugé plus à propose par la service de la dite Royne.

4. Toutes les anciennes alliances, tant de l'unc que de l'autre coronne, demureront en leur vigueur, sans que pour ce present traicte, il y ait aucune alteration.

5. Les deux Roys, par ce present traicte estant reunis en l'affection et intelligence en laquelle ils estoient au paravant, s'employeront respectivament à donner assistance a leurs alliez et amis, selon que la constitution des affaires et l'avantage du bien publick le requerent, et le pourront prometre le tout à des-

¹ This and the following paper are printed here as relative to the preceding letter.

sein de procurer un entier repos a la Christienete, pour la bien de laquell les ambassadeurs de deux coronnes seront chargés de propositions et d'overturs.

6. Toutes les dites choses estant restabliés et acceptées des coste et d'autre, ambassadeures extraordinaires personnes de qualite seront envoyez resiproquement avec ratification de ce presant accord, lesquels porteront aussie le denomination des ambassadeurs ordinaires pour resider à l'un et à l'autre cour, afin de s'affirmer ceste bonne wnioun et empecher toutes les occasions qui la pourront troubler.

7. Et d'autant qu'il y a boucoup de vaisseaux encor en mer avec letre de marque et pouvoir de combattre le enemie, qui ne pourroit pas sitost entendre ceste paix, ny resevoir ordre de se abstenir de tout hostilite, il sera accordé per cest article, que tout ce que se passera l'espasse de deux moys prochains apres sest accord faict ne derogera ny empeschera ceste dite paix, ny la bonne volonte de ces deux couronnes, à la charge toutefois que ce qui se sera pris dans le espace de deux mois depuis la signature du traite sera restitué de part et d'autre.

8. Le deux roys signeront les presents articles dans l . . . , lesquelles seront consignés au mesme temps per leur commandement et mains des signeurs ambassadeurs, . . . , residents pres de leur personnes, pour le delivrer reciprequement au dites deux roys à iour prefix, incontinent que chacune d'eux aura sceu l'un de l'autre qu'ils ont le dits artiels entre les mains ; et du iour della signature, toutes acts d'hostilite, tant par mer que par terre, cesseront et la proclamations necessaires a ceste effect seront faict en une mesme iour dans les deux royaums.

47. PROPOSALS from LOUIS XIII., KING OF FRANCE, relative to the Action to be taken by France in regard to the Palatinate, a Treaty of Commerce, and other matters. June 1630.—Copy.

La France demeure d'accord de traitter avec Bavier pour le Roy de Grand Britagne wn accomodement pour la Palatinat, et des cest heure on en a escrit puissamment, et cest la vre seul moyen quel il faut tenir pour sortir de cest affair au contentement du prince Palatin, que de s'acommoder avec le Duck de Bavier, pour ce qui regard ses interests par voie de traite et non d'armes.

Elle demure aussy d'accord de faire ligue avec la Ingiltere et les Estats, pour recouvrer par armes se [ce] qui les Espagnuols tiennent au Palatinatt, au cas que presentement et sans delay ils ne voule[n]tt pas le remitterentre les mains du Roye de la Grand Britangne.

Si les Espagnouls veulent remitter les ditis places qu'ilz tenent au Palatinatt au Roye de la Grand Bretagne, le Roye, pour la cordiale amitié qu'il veut tesmoygner au dict Roye, son bon frere, et a la Reyne, sa soeure, et fair voyer qu'il n'autre enterest en cest affair que le leur, s'offre de contribuer le tiers aus frais de la gard de ditis places, et de les defandir conioyntement avec lui avec des puissantes forces, si elles sont attaquées, par qui que ce soitt, et de sy obliger per tretté conioyntement avec les Estats.

La France trove fort bon de passer un bon trette pour la liberte de commerce, et ne fera pas de difficulte a sceluy qui a este areste par le Sieur de Chasteauneuf avec le Conseil d'Ingilter.

Elle se accordera aussi de la restitution de tout ce qu'a esté pris depuis la paix, selon ce qu'esté concerté per le Sieur de Chasteaunufe avec le dict consill d'Ingilter, ce promittent aussie que le vaissaw de Sieur de Torras sera rendu de bon foye, et qu'on fera retirer les Escossois du Port Royall, selon l'asperanse que le Roy de Grand Britangne en a donne au dict Sieur de Chasteauneufe.

Reste maintenant au Roy de la Grand Bretagne d'affectuer ce que la propose, et au Sieur de Chasteouneufe, et au Seur de Fontine et par se porture de rappeler son ambassadeur, qui est en Espagne ett rompre tout nogosiasion. Cela semble necessair pour donner confiance à Messieurs les Estats, et toutesfoys cela est remis au iugement de Roy de Grand Bretagne, qui scaitt mieus, comme il doyt, tretter ses affaires que person.

This was sent by Mr. Scott from the King of France, being then in Savoye, to England, about the last of June 1630.

48. THE PRIVY COUNCIL OF SCOTLAND TO ROBERT FIRST EARL OF NITHSDALE.

Frome Halyrudhous, the fyft day of Februarie 1631.

After our verie heartilie commendatiouns to your good Lordship: We dealt with suche of the Commissioners of the Middle Shyres as wer in this town to

have made thair addresse to Dumfreis, and to have assisted your Lordship at this justice court, appointed be your Lordship to be haldin at the burgh of Dumfreis vpon the aucht of this instant ; but the vnseasonable weather, and the lying storme, furnished vnto thame ane verie just caus of excuse and inabilityie to keepe this dyet. We have considered the commissioun grantit to your Lordship, and the rest of the conjunct and subcommissioners, and in our opinioun your Lordship may proceed to the halding of your court with the presence of anie one of the subcommissioners, of whome your Lordship will have the Laird of Amisfeild readie at hand. And if your Lordship find anie scruple or doubt in this point, your Lordship may continew your court for some certane dayes, and againe that tyme order sall be tane that your Lordship sall be accompanied with a competent number of the Commissioners. And so, with the remembrance of our best affectiouns, committing your good Lordship to the protectioun of God, we rest,

Your Lordship's verie assured good freinds,

*Georg Cannell?
Monteith*

Hadinton

Wm. M. M.

Wm. M. M.

Wm. M. M.

To our verie honnourable good Lord,
the Erle of Nithisdail.

49. [ROBERT FIRST EARL OF NITHSDALE] to the VISCOUNT OF DUPLIN, Chancellor, and other Lords of the PRIVY COUNCIL OF SCOTLAND. [18 April 1631.] Copy.

It will please your Lordships,—Whereas vpoun late apprehending of the tuo Johnstounes (Thomas and John), and that with a fang and within my owne bounds, at the earnest and importunat desyre of diuerse compleneris of my owne tennentis and otheris quhom they haid wronged, with intentioun to haue kept them sure, till they haid vndergone the tryell of a fair assyse for theft, resset of theft, of fugitives and outlawes, with notorius infang and outfang. It was your Lordships pleasour to fauour them with libertie, vpoun eautioun to vnderly the law befor the Commissionaris of the Middle schyres, whilk I, aecordinglie obeying, dismissed them foorthwith out of my custodie, and eaised sumound them agane (as your Lordships ordour was) to compeir at Lanerk, the 15 of Apryle now past what tyme haueing beene, besides my owne personall pains, at the trooble to draw tuo of the saidis Commissionaris (the Lord of Drumlangrig and Sir John Chartrous of Hempisfeild, and some 45 other suffieient honest men inhabeting within the four half round about—as they terme it—to be of the assyse, togidder with 200 gentilmen of foree or thairby) from there owne seuerall effaires and duelling places, to witnes that my earriage in the busienes suld be without the least showe of spleene or partialitye, (as your Lordshippis haue been informed and seemed too farr to be persuadit of me,) and as I am aduerteist from aboue the like misreport of my proceedings in this partieulare haith been likwyse suggested there. But now that nor they nor there eautiounouris for them have gevin thair comperance befor ws, (all the vsuall formalyties being nowayes negleeted in the least,) and thair being some 15 or 16 great pointis of dittay against them, and sundrie honest men of goode reporte and without all exeption being there present, to haue followed them vpoun the same, and sworne the whole poyntis at the barr in open eourte, and in the presens of the saidis Commissionaris and the assessouris, wherby I micht haue cleerlie freed my self of those sinister imputationis, and withall haue eased the myndis of the poore men and otheris, that they haue wronged in thair goodis. Now that the event so eleirlye dooth disprove the confidence was had vnto your Lordships' selffis of thair innoeence and

honestie, and so cleirly iusteyfethe the sinceritie of my intentionis in apprehending them to haue been vpoun assured groundis, and onlie for punisheing of theft and curbing of oppressioun (according to the tennour of all my former actiones,) to the weell and peace of this pairt of the countree wherein I haue sum litill interest, and the faithfull service I owe to God and the King in that regarde, I hoip that in your Lordshipis' wisdome yee will nocht be so prone heirefter to interrupt suche as I am in the faire course of so iust and laudible actionis, but rather assist and encourage them thairinto. And I hoip that yee wilbe lykwayes pleased in this particular, to tak it into your due considerationis what hazard my poore tennentis and otheris vpoun the bordouris do ryne, both into thair lyves and thair goodis, now that these fellowes ar lett lows, and haue taken the crymes obiected so pertlie vpoun them; and are becum so resolute and opene fugitives, where throw, whatsoeuer inconvenience sallhappin to ensew thairby, or outeryes of the people, it cannocht but reflect vpoun your Lordshipis in sicke sorte as I wold be sorie for it. The onlie way of preuentioun, and, if your Lordshipis will pardoun my weake oppinioun, to exoner your Lordshipis selves, is that yee be pleased to think it fitt in all convenient speed to trye the cheif protectouris of those men, (of quhom your Lordshipis can nocht be ignorant,) to exhibeit them agane befor your Lordshipis, quhilk they can do if they list with les difficultie then they had in getting them to libertye, and then either to geve them the lawe, or if yee list to fauour them so farr, to nominat sum other whome yee imagine to be more frie of spleene or malice then my self, to put them to the lyke tryell, whilk I vnderstand is aither alreddie or wilbe verie schortlie their owne sute vnto zour Lordshipis, and in the meane tyme your gude Lordshipis (as I hoip) will nocht tak it ill that I do send bak by this bearer the commissioun of justiciarie within my owne boundis graunted by zour Lordshipis wnto me, whilk I do freely rander into your handis again, since I find by this prooffe that it standis me in so lytill steed. And so, trusting your Lordshipis will nocht misconster this my freedome, while I give zow this trewe accounte of my proceedingis, as I esteemed it my pairt to do, I rest, your Lordshipis humble servitour.

[*Dorso*] Copie of the lettre direct to my Lord Visconte Dipline, Chancellour, and remnant Lords of his Majestie's honorabill Previe Counsale. 18 April 1631.

50. WILLIAM HAIG, Crown Solicitor, to ROBERT FIRST EARL OF NITHSDALE.

Edinburgh, 13th Apryle 1631.

MY LORD,—By a lettre of 27 Januar last, subscribed by diverse, als wele officers as counsellours, it hath bene affirmed to his Majestie, that the subscribers of the said lettre caused me sett down in wryt the grounds and reasons of my motion for change of the taxtrolles :

That the first ground which I lay is this, that the barons' part, which is a two part of the half, should rule and square the other two estates of benefices and burrowes, and that I infer therewpon, seing the barons payes more then there iust two part, that, therefor, the burrowes and benefices should pay proportionally more then there parts.

That the other ground wherewpon I found my motion is, that als much wes exacted of benefices and burrowes vnder the name of taxt as wold equall the excesse of the barons' poundlands, and that, therefore, I still vrge that the rolles may be ruled according to that proportion.

And by subsumeing that there is fallacy in the first, and grosse error in the other ground, it is concluded that a change of the taxtrolles is neither lawfull nor faisible, and that I am pertinaciously wedded to my owne opinion.

Notwithstanding whereof, if any of the subscribers of that lettre be able to show that either that wrytt, which the lettre affirms they caused me sett down, or any other wryt of mine, beares the foirsaid grounds and arguments, I shall acknowledge my self worthy, not only of such censure as they deserue that darr trouble his Majestie with impertinent propositions, but to forfeitt also both the fortunes and libertie which I have of a free subject.

And if I doe not make appeare that diverse of his Majestie's officers, als wele as sum other of his subiects of great worth and wnderstanding, hes sene two yeirs agoe vnder my hand reasons proveing that 30 sh. the poundland wes neither more nor lesse then the barons iust and due proportion (which is a two part of the half) of the last two taxations, (which is direct contrary to the antecedent wherwpon is inferred the first conclusion which that lettre calls mync,) I shalbe lyable to the punishment due to treason.

Now, my good Lord, seeing it is knowne to many men of worth that his

Majestie did by speeial lettre ordaine a change to be made of the taxtrolles, wñles such obiections wer shewen in wryt, against the reasons propounded by me for the same, as I could not answere, and that suffieient answers hes bene made to all such obiections, I doe, therefore, adiure your Lordship, by the respect you eary to the good of the King's service, to beseeche his Majestie to consider how much it importeth his Majestie in the opinion of his subieets, and in the respect due to the iustice and wisdome of his royall directions, that he take notice of the answers (whereof I send to your Lordship here a coppie,) to the reasons expressed in that lettre, for the immutability of the taxtrolles, and that still obedience be pressed to his said directions wñles these answers be impugned by such reason as I cannot reply wnto, and that with his lettre to the Counsell to that effect, he cause send home a coppie of the foirsaid answers signed by me, which leauing to your Lordship's wyse consideration, I reste,

My Lord,

Your Lordship's most respecting seruant,

WILLIAM HAIG.

To the right honorable my very good Lord the Earle of Nithisdail,—these.

51. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND to ROBERT FIRST EARL OF NITHSDALE. 17th November 1631.

Frome Halyrudhous, 17 Novembris 1631.

After our verie heartilie commendatiouns to your good Lordship,—Your Lordship remembers of the charges quhilks wer latelie sent to your Lordship aganis the provest and bailleis of Jedburgh for delyverie of Robert Swan to your Lordship. Since quhilk tyme the Shireff of Northumberland, by his letter sent thither, hes craved delyverie of this man to be made to him, to the intent he may caus execute justice vpon him within the bounds of his office, where his thifts and stouthes wer most frequent and ordinar; and he hes vndertane, vpon a great soume of money, ather to caus execute justice vpon him, or than to redelyver him backe heere to vnderly his tryell and punishment; and becaus he is ane Englishman, and is best knowne in these parts where al

his thifts wer committed, and where his punishment will be more exemplar nor in anie other part : We have, thairfoir, thought it not amisse that delyverie be made of him, if your Lordship pleases, and hes not as yett caused execute justice vpon him : Bot we remitt it to your Lordship's owne consideratioun and discretioun whether yow will delyver him or eaus exeeute justice vpon him there, according to our warrant formerlie sent vnto yow. Requesting your good Lordship to resolue vpon the one or the other with diligence, and accordinglie to doc therein as your Lordship sall thinke most expedient ; and so committing your Lordship to God's protectioun, we rest,

Your Lordship's verie good freind[is],

Geo. Cansell
Haddington

Perth.
James, Esq.
Procurator
James Cansell *Glasgow*

To our verie honorable good Lord, the Erle of Nithisdail.

52. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND TO ROBERT FIRST
LORD KIRKCUDERIGHT. 3d October 1633.

After our verie heartilie commendatiouns to your good Lordship : The disorders and thifts arissin of late within the bounds of the Middle shires, and the frequent

and avowed resort and ressett of fugitiues and outlawes within the same, hes moved his Majesteis Counsell to appoint a meeting of the whole Commissioners to be heere at Halyrudhous, vpon the xxi day of November nixt, to the intent that, after conference among thameselffes, they may represent to the Counsell the causs of thir disorders, and the best way how to reddresse the same, that accordinglie some course may be tane als weill for punishing the present as for preventing the future disorders in tyme coming. And, thairfor, these ar to requeist and desire your good Lordship that, all excuiss sett aside, yow keepe this dyet preciselie, quhairthrow this service, quhilk imports so neerelie the peace and quyet of the countrie, be not neglected nor frustrat. And so resting assured of your precise keeping of this dyet we committ your Lordship to God.—Frome Edinburgh, the thrid day of October 1633.

Your Lordship's verie assured good freinds,

HADINTON. WINTOUN.
SOUTHESK.

To our verie honnorable good Lord, the Lord Kirkcudbright.

53. THOMAS VISCOUNT WENTWORTH, Lord-Deputy of Ireland, to FRANCIS LORD MOUNTNORRIS, and others.

Dublin Castle, vltimo Nouembris 1633.

Let this businesse, with these its proceedings, be deliuered to the Lorde Mountnorris, the Lorde Chiefe Baron, and Sir George Radcliffe, whom wee require to certifie vs their opinion of the whole state hereof.



MAY IT PLEASE YOUR LORDSHIP,—Wee haue perused all the annexed papers, and duely considered the state of the busines as it is propounded on the Erle of Nithisdale's behalfe, and we thinke fitt that a comission be granted, as is

desired, with such directions, exlimitations, as by the lettre of the late Lords Justices, and the order of the Lords' eomittees are prescribed; sauinge that whereas it is propounded that the Kinge's officers shalbe restrayned from sendinge proces or leuyinge any of the debts mentioned in the Erle of Nithsdale's petition, that clause we conceiue may be preiudiciall to his Majestye, and no advantage to the said Erle.—All which we humbly submitte to your Lordship's further pleasure.

FRA. MOUNTNORRIS.

RD. BOLTON.

GEO. RADCLIFFE.

54. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND to ROBERT FIRST
EARL OF NITHSDALE.

Edinburgh, the 10th of September 1636.

After our verie hartlie commendations to your good Lordship: Remonstrance hes beene made vnto ws be some within the bounds of the Midle shyres that your Lordship hes apprehendit, and zit deteanes in prison, certane persons who were never declared fugitives nor outlawis; and it wes desyred on thair behalfe that they sould be putt to libertie vpon caution for thair compeirance to thair tryell before your Lordship, and the rest of the Commissioners of the Midle shyres, at the diet appoynted for thair tryell. Wee, haveing hard and considerit thair petition, and being loath to doe anie thing tending, or that may tend, to the dirogation of the said Commission, wee have forborne to give anie ansuer to thair petition, or to doe anie thing thairin bot be your Lordship's awne knowledge and allowance; and zit wee would wish that no iust exeption could be tane aganis anie deid done in the execution of that Commission, and that, in consideration heirof, and of the desyre of this petition, your good Lordship sould putt so manie of thir prisoners to libertie as were never declared fugitives nor outlawis, tacking sufficient caution of thame for thair compeirance to thair tryell, at thair appoynted diet, vnder sic paines as your Lordship sall find the merit of the person and caus requyr. By quhilk doing the mouthes of idle and discontented persons will be closed, and no just exeption can be

taken either of partialitie or of iniquitie in the course of your proceedings. And so, with the remembrance of our best affections to your Lordship, wee rest, your Lordship's assured good freinds,

*Somersetshire,
Braguave —
Hadninton
Mar.
Perth
Ratmoke
Caudevalle
Southesk
Edmond Hope*

To our verie honorable good Lord, the Earle of Nithisdail.

55. GENERAL GEORGE MONCK to CAPTAIN WILLIAM ROSS, Commissary
of the shire of Dumfries.

Darlington, 9 Januarii 1659.

SIR,—Being that their is a meitting from the shyres and burrowes off Scotland, sometyme in this moneth at Edinburgh, where I would have yow present, that there yow may lett the noblemen and gentlemen that shall meitt, know that I

have sent one Thomas Gumble to the Parliament, instructed from me to move in the behalffe of the natione of Scotland, that the inhabitantis therof may enjoy an equality with the natione of England in all respects; and shall not doubt by their peaceable living at this tyme, but I shall be able to give them a good aecountt of this my desyre to the Parliament in their behalffe very speedily. I shall also desyre yow to move it to the said meitting, that where there are any eess yet dew by any of their shyres or burrowes, that they would hasten the payment theirow to the Receiver General. Their ready observanee quhairoff shall be a further inducement to me to seecnd such desyres, as shall be resolved vpon at their meitting. And for such as have refused the payement of the said eess, (in this tyme of so high concernment to the Parliament,) I shall desyre to know their names, and for that end, yow shall desyre from the said meitting, that they will eause their respeeative eollectoris of the said shyres and burrowes, send to yow the rollis of their deficientis, with all possible diligence; whieh rolls, together with what wther desyres any of . . . or gentlemen that are subseribers of the letteris for prese . . . have to offer, yow shall dispatch the same to me, acco . . . at pairting. Iff the said meitting eonceive any necessity . . . , as a watch vpon the border, commanded by one that shall be appoynted by the shyres (as they doe in the border of England) for preserving of the countrey from theft and robbery. Lett me know the same also, or any thing else that may tend to the peace and satisfactione of the inhabitantis of your natione, and the same shall be cordially accepted of, and endeavored by

Your very loveing freind and servant,

George Monro

If the Lord Kenmure will give yow good seeurity for his peaceable living, yow shall receive the same, and send it to mee, and I shall returne his passe. I shall desyre to heare from yow concerning the abovementioned particularis, or any thing else that shall occurre weekly vntill meitting.

For Capitane William Rosse, Commissary of the shyre of Drumfreis.

56. GEORGE MONCK, DUKE OF ALBEMARLE, to ROBERT SECOND EARL OF NITHSDALE, and other LORDS.

Cockpit, 24 July 1660.

MY LORDS,—I have received your Lordships' letter of the 30th of June by the hands of Commissary Rosse, for which and your former favours, I returne your Lordships thanks, and I shalbee glad to serve your Lordships. It is not needfull that any of your Lordships come vpp at this time, I haveing seene your comission to Commissary Rosse, from whom I shall take notice of what may concerne your Lordships.—I remaine, your Lordships' affectionat friend and servant,

Albemarle

To the right honorable the Earle of Nithesdale, the Lord Haris, and the Lord Kireudbright, or to any of their Lordships, to bee communicated to the rest,—these.

57. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND to JOHN MAXWELL THIRD EARL OF NITHSDALE, or to ROBERT LORD MAXWELL.

Edinburgh, 4 March 1669.

RIGHT HONORABLE,—The Lords of his Majestie's Privie Councill, taking to their consideration the disorderly eariage of severall heretors, outed ministers, tennents, and others of the commons, within the shrefdom of Wigtoun and stewartrie of Kirkeudbrugh, by their keeping of conventicles and baptiseing of their children by persons not authorised by the Chureh, which not only foment and nourish separation and schisme, bot tend to sedition and disturbance of the publick peace, have thought fitt in this exigent to requyre the commissioners of the militia to inform themselves where any such conventicles have been kept since the first of November last, or shall happen to be kept hereafter, and to call befor them the ministers who have preacht at them, or heretors or substantiall tennents that have bein present thereat, or who have had their children baptised by persons not authorised by the Church since the first of November last. And according as they shall find any of them guilty, that they take caution of them for their appearance before the

Councill when ever they shall be called. And incaise any of them, being called befor yow and the rest of the commissioners, compear not, or compearing, shall refuse to give eaution, that they, with advyce and coneurrence of the captane, lewtennant, or cornetts of the troupes of the said shyre and stewartrie, seize upon the persons and send them in to the Councill by a pairtie of the militia, which pairty shall be payed at eightein shilling Scots a day for each horse, and thrie shilling sterling for the officer who shall eommand, from the tyme of their setting furth to their return. And that they send alongst with them any proofes or evidences they have received of their guiltines. And ordaines the saids commissioners against the sext of Apryle nixt to give an accompt of their diligence to the Councill.

The Lords of Councill doe further requyre the officers of the militia of the said shyre and stewartrie at their first rendezvous, to take the oathes of the souldiers under their command; and that they shall be faithfull to the King, and obedient to their officers, and stay by their collors so long as they are under command, and untill they be lawfullie discharged. As also, they doe ordaine the eaptaines of the respective troupes of the said shyre and stewartrie, to send in the list of the whole horsmen under their command, expressing their names and their parents' names, and for whom they are putt out, and the place where they live.—Wee are, your affectionat freinds,

ROTHES, *Cancell.*

HAMILTON.

CAITHNES.

LINLITHGOW.

W. DUMFRIES.

AIRLIE.

CALLANDER.

ANNANDALE.

HALCARTOUNE.

BELLENDEN.

TWEEDDALE.

KINCARDIN.

COCHRANE.

For the Earle of Nithisdale or Lord Maxwell, to be eommunicat to the rest of the commissioners of the militia of the shyre of Wigtoun and stewartry of Kirkeudburgh.

58. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND TO ROBERT LORD
MAXWELL, afterwards fourth Earl of Nithsdale.

Edinburgh, 15th July 1669.

RIGHT HONORABLE,—The King's Majestie, out of his care for the establishment of the quyet and peace of this kingdom, hath by his letter of the tuelt of Junii last, signified to ws that there can be no better way for preserving thereof then by a vigorous following of the commission, and instructions for setleing and training the militia, and hath commanded ws to acquaint yow that it is his roycall pleasur that the rendezvous be punctually kepted, and that the troupes of horse be exercised conform to the former instructions sent unto yow; and for their encouragment hath allowed to the corporalls and trumpeters to the horse ten dayes pay according to the present establishment of his guardes, and hath given orders to the commissioners of his thesaurary to take order for the effectuall payment thereof: Wee have, therefore, thought fitt to requyre yow to be observant of these his Majestie's commands, and to guard against all abuses that may be committed by officers, especially that they presum not for money, or upon any other base or mercenary attempts to exeem any of their proportions of the horse, or from appearing at the rendezvous, and that no officer bargain with any towardis the advancing of their proportions, and making rendezvous for them, or where he falles to be a leader, that he exact no more from these joyned with him in the outreik of the horse, bot the fraction laid upon them by yow, (except in so farr as power is given by the Councill's instructions or act of Councill to take money from these leaders who refuse to take the band,) and that yow take due care that every one pay in their fractions, and outreik their respective proportions.—Wee are,

Your affectionat freindis,

A. PRIMEROSE.

ROTHES, *Cancell.*

W. DRUMMOND.

MARISCHALL.

HAMILTON.

CAITHNES.

ARGYLE.

LINLITHGOW.

J. HOME.

W. DUMFRIES.

For the Lord Maxwell, to be by him communicat to the rest of the commissioners of the militia of the shyre of Wigtoun and stewartrie of Kirkeudburgh.

59. The SAME to the SAME.

3 March 1670.

RIGHT HONORABLE,—The King's Majestie havcing by severall of his lettres injoynd ws to take care of the setleing of the militia in this kingdom, as being of great import towardis the secureing of the peace and quyet thereof; Wee conceive our selves bound in duty to putt yow in mynd that the season is now approaching wherein yow may conveniently order these listed for that service to be brought together on the dayes appoynted for their training, exerciseing, and rendezvous, which wee doe most earnestly requyre of, and recomend to yow, and to putt the inclosed act of parliament in execution against the absentis from rendezvous, and deficientis in their outreiks and paymentis: As also, that yow punctually observe that act, with all the actis, orderis, and instructions formerly sent to yow by ws concerning that effair. Wee expect from yow an exact accompt of the fullnes of your troupes, how they are armed and mounted, and the rendezvous keiped, with the names of the deceast officeris, and who are named by yow to vacancies, conform to your instructions. We have sent yow the warrand anent the pay allowed by his Majesty, which wee hope ye will sie punctually obeyed, that these concerned therein may be encouraged, from his Highnes bounty to exactnes in their duty and readines to obey his Majestie's commandis, and that yow will make a return anent these particularis against the first of July nixt, to

Your assured freindis,

TWEEDDALE.

KINCARDIN.

A. PRIMEROSE.

CH. MAITLAND.

S. J. WAUCHOPE.

ROTHES, *Cancell.*

HAMILTON.

CAITHNES.

AIRLIE.

For the Lord Maxwell, to be by him comunicat to the rest of the commissioners of the militia of the shyre of Wigtoun and stewartrie of Kirkcudburgh.

60. JOHN SEVENTH EARL, afterwards Duke of Rothes, Chancellor of Scotland,
to ROBERT LORD MAXWELL.

Edinburgh, 12th May 1670.

RIGHT HONORABLE,—The King's Majestie haveing appoynted George Murray uncle to the Lord Elibank, to be muster master generall of all the forces listed for the militia of this kingdom, wee have thought fitt, in pursweance of the trust committed to vs by his Majestie in setleing of the militia, to appoynt dayes of generall rendezvous in all the shyres where the same is established, and the second day of August nixtocum for mustering of these belonging to the boundis of your trust : Wee have ordered him to keep that dyet : And wee doe requyre yow to take care that your troupe be brought together peremptorly at that dyet, and meit with the other troupe listed fra the shyre and stewartry : And that yow give to the muster master all due assistance and countenance in discharge of his commission. Signed in name and by order of the Councill, by
Your most humble servant,

ROTHES, *Cancell. j.p.d.*

For the Lord Maxuell, captain of one of the militia troupes of horse in the shyre of Wigtoun and stewartry of Kirkeudburgh. And in his absence to the nixt commanding officer present. To be comunicat to the commissioners of the militia of the shyre and stewartrie.

61. The SAME to the SAME.

Edinburgh, 5 Apryle 1671.

RIGHT HONORABLE,—In pursueance of his Majestie's commandis, wee did by a missive of the thrid of March 1670, recommend to yow to putt in execution the act of parliament concerning the militia, and did requyre ane accompt of your proceedinges therein betuixt and the first day of July thereafter. Bot haveing had no return from yow in that effair, which is of special import to

the peace and quyet of the kingdome, and lettres upon that accompt bein severall tymes recommended to ws by his Majesty: Wee have thought fitt againe to command and requyre yow, as yow will be answerable, with all diligence to prosscute the forsaid act of parliament, and the severall orderis and instructions which yow have receaved from ws relating to the militia; and for that effect, that yow appoynt a generall rendezvous of the militia within your boundis upon the fourt day of July nixt, at which Thomas Elphinstoun of Calderhall, whom his Majesty hes nominat muster master generall, is appoynted to be present; and thereafter that yow return to ws betuixt and the fourt day of August thairafter ane exact accompt of the present condition of the militia of these pairtes, bearing the names of the severall officers nominat by yow, what vacant places are to be filled by his Majesty, and of what number the severall troupes of horse doe consist of, and how the souldiers are armed and appoynted. Signed by warrand and in name of the Councill by

Your humble servant,

ROTHES, *cancell. j.p.d.*

For the Lord Maxwell, captain of one of the militia troupes in the shyre of Wigtoun and stewartrie of Kirkeudburgh—To be by him comunicat to the rest of the commissioners of the militia thereof.

62. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND to ROBERT
LORD MAXWELL.

Edinburgh, 18 Junii 1674.

RIGHT HONORABLE,—Wee have thought fitt at this tyme, for the good of his Majestie's service, to command and requyre yow to take speciall care that the troupe of horse vnder your command be in readines vpon the first advertisment to receave and obey such orderis as wee shall direct to yow, and in order therto, that yow immediatly appoynt dayes for the particular rendevous of your troupe and exercising them, and to take care that the rendevous be punctually keeped, and that the horses and armes be in good condition, fitt for the Kinges

service, conform to the instructions formerly given by ws. Herein yow are to vse all possible diligence, as yow will be answerable. Wee are,

Your affectionat freindis,

ROTHES, *Cancell.*

ATHOLL.

WIGTOUNE.

KINCARDIN.

ROSSE.

ARGYLL.

MARISCHALL.

CAITHNES.

KINGHORNE.

For the Lord Maxwell, captain of one of the militia troupes in the shyre of Wigtoun and stewartry of Kirkeudburgh,—these.

63. JOHN SEVENTH EARL, afterwards Duke of Rothes, Chaneellor of Scotland,
to ROBERT LORD MAXWELL.

Edinburgh, 2 May 1678.

RIGHT HONORABLE,—His Maiestie's Privie Councill haveing thought fitt that the randevouse of the militia troupe of horse of the shyre of Dumfreis, vnder your command for this year 1678, should be kepted at Dumfreis the thrid day of July nixt, they have appointed notice to be given to you therof, that you may give timeous advertisement of the same to all persones concerned, that the dyet may be punctually kepted, at which the muster master generall or one deputed by him will be present. This the Councill hes ordered to be signified to you by

Your Lordship's most humble servant,

ROTHES, *Cancell. j.p.d.*

For the Lord Maxwell, captain of the militia troop of horse of the shyre of Dumfreice,—these.

64. CHARLES LORD VISCOUNT TOWNSHEND, Principal Secretary of State, to the KEEPER OF THE TOWER OF LONDON. 8th December 1715.

Charles Lord Viscount Townshend, Baron of Lynn Regis, one of the Lords of His Majesty's Most Honourable Privy Councill, and Principall Secretary of State, etc.

These are in His Majesty's name, to authorise and require you to receive into your custody the bodys of the Earl of Derwentwater, Lord Widdrington, Earl of Nithsdale, Earl of Winton, Earl of Carnwath, Viscount Kenmure, Lord Nairn, the Master of Nairn, Bazil Hamilton of Baldoon, Esq^r., Mr. Edward Howard, with John Bells, Nicholas Johnson, Francis Wilson, Patrick M'Cormack, Jean Baptist, John M'Intosh, James Robertson, James Chalmers, Peter Martin, and John Stewart, their servants, for high treason, in levying warr against His Majesty ; and you are to keep them in safe custody, untill they shall be delivered by due course of law ; and for so doing this shall be your warrant.—Given at Whitehall, the 8th day of December 1715.

TOWNSHEND.

To the Leivtenant of the Tower or his Deputy.

The above is a true copy of the comittment.

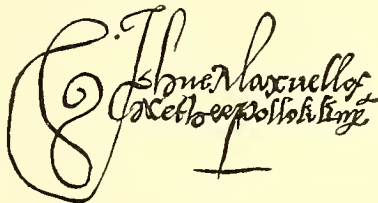
AND. CHADWICK.

For the Earl of Nithsdale.

III.—FAMILY AND DOMESTIC LETTERS.

65. SIR JOHN MAXWELL of Pollok, Knight, to MR. ALEXANDER KING,
Advocate. 16th April 1593.

RYCHT HONORABLE SCHIR,—Eftir my verie hertlie commendatiouns : Pleis wit, my Lord Maxwall and I is chargit, within ten dayes, vndir the paine of rebelioun and putting to the horne, for obtempring of twa decreitis, gewin afoir the secreit cownsell, as the copeis will instruct zow. To that effect my Lord desyris zow to rais lettiris of suspentioun, for reduceing of the decreittis, as his Lordshippis lettir will informe zow, quhilk ze sall resawe from the beirar, and send me it agane, with zowr advyce and cownsell, quhat is meitest, to be done in this actioun of suspentioun ; for we are informit heir that thair wilbe na suspentioun obtenit without consignatioun of money of sa mikle as is contenit in the decrettis. The rest remitis, as zour wisdom and discretioun thinkis guid. Committis zow vnto the protection of the Almichtie God.—From Haggs, the sextine of Aprile, 1593.—Zour assurit gude freind,



The image shows a handwritten signature in dark ink. The signature is written in a cursive style, with a large, ornate initial 'J' that loops around the first part of the name. The text of the signature is 'John Maxwell of Pollok'. The signature is written on a light-colored background.

To the rycht honorable, his weilbelowit freind, maistir Alexander King, aduocat.

66. JOHN EIGHTH LORD MAXWELL to JOHN SIXTH LORD HERRIES.

Drumfreis, this xvij of September 1605.

Pleis zour Lordship; I haif directit thir berriris, my schiruandis, Herbert Maxwell and Adam Cunyghame, to seik out sum wrytis furth of my chartour kist, quhilk I hoip be thairin. Quhairfoir it will pleis zour Lordship mak the samin patent to thame, and quhat thai resave furth thair fra, zour Lordship resave thair ticket thairon, quhilk salbe sufficient for zour Lordship's exoneration thairon.—Swa I rest, zour Lordship's assurit,



To my verie guid Lord and brother, my Lord Hereis.

I, Harbert Maxwell, sone to the Laird, grants me to haif ressauit fra the richt nobil Lord Hereis ane discharge maid be Daniell Campbell, sone to vmquhile Mr. Thomas Campbell, commendater of Haliwid, to Johne Erle of Mortoun, of his pairt of sum victuall of the mylne of Clowdoune, of the dait at Edinburgh, the first of September, anno 1^m v^o four scoir tua, befoir thir witness, Johne Maxuell, callit of Newwark, and Adam Cwninghame.

HARBERT MAXWELL.

A. CWNINGHAME, *as witnes.*

JOHNE MAXWELL, *witnes.*

67. JOHN EIGHTH LORD MAXWELL, to his brother-in-law, JOHN SIXTH LORD HERRIES. 9th May 1607.

ME LORD AND LUFING BROTHER,—This berar vpoun necessetie mon have my chartour of the altarage of Carlaucrok to produce aganis ane minister that

eummeris hym, as he will tell zour Lordship at lenthe hym self; thairfoir it will pleis zour Lordship to len hym furth the same, and tak his tiket for delyuerance of the same agane. Swa to the nixt oecaeioun, my hartlie commendatioun rememberit, I commit your Lordship to His eternall and blissit proteetioun.—Carlauerok, the ix of Mai 1607.

Zour Lordship's lufeing brother,

J. L. MAXUELL.

To his hertle beloveit brother, me Lord Herreis.

68. ELIZA NAPIER, sister of John Napier of Merchiston, the inventor of Logarithms, and wife of James Lord Ogilvy of Airlie, to ROBERT FIRST EARL OF NITHSDALE.

Londone, i of Maij 1623.

RYGHT HONOURABLE MY WERIE GOOD LORD,—I haue herewith send your Lordship his Majesteis lettir direct to my Lord of Melrose, togidder with the eopye thereof. I doe most hartfully thank your Lordship, for I aeknowledg it was proeured by your Lordshipis means, which if yow doe not lykwise countenance with a spetiall cair, I fear it shalbe neglected as othirs hath been, which I did formerly purchase. But I assuir my selve of your Lordshipis best furtherance and favour, and that you will imploy sum panes, that at the least an ansuer may be returned from my Lord Melrose. It is lyklike that he will forge sum frivoll excuse to frustrat me and draw on more delayis, but I protest I shall nevir hereafter be so slow to importune his Majestie. God knows, I haue had mveh patience and long suffering of my adversaries' oppressions, against all equitie or conscience towardis me, and without pitie or charitie to my chyld, pretexting there jnuries with a coullour of justice, which is wreasted and suppress; for noe man of law dare or will appeare at the barr for me, because they fear my Lord of Melrose. Wherefore I am resolved, after my Lord returns his ansuer, or my frindis advertiment, to be the most importunat suittour that evir followed his Majestie. I dout not bot your Lordshipis interponing your selve in my favour shall effectuat more than hathe been done hithirtillis; at the least I shalbe glaid that your Lordship wndirstanding thes

fraudfull circumventions and evasions, you may the bettir witnes the sam to the King's Majestie. I could not persuade James Douglas to wreat in the lettir that the ansuer of it should be returned be your Lordship ; notwithstanding, if your Lordship be pleased, yow may wrge the King's expres commandement. It is your Lordshipis charitable compassione of my distresses, and your opinione of the equitie of my cause, that movethe your Lordshipis affectione to help me ; for I confes, that neathir my selve, nor my frindis, can be soe steadable to do your Lordship service as my adversaries are. But God will blise such as help the oppressed widdow, and the fathirles orphans, and soe shall I alway pray for your good Lordship, and evir remane,

Your Lordshipis most obliged,

Elizabeth, la, Ogilvie

I haue wreattin to Sir Archibald, my nephew, and to Sir Alexander, my brothir, to meett for me withe my Lord Melrose and Lord Ogulvie when they shalbe requyred, and to treat for me and in my name, conforme to my instructions send to them, and lykwise that they goe to my Lord of Melrose, after your Lordship hath delyvered his Majesteis lettir, to schow him that I haue desyred them to know his Lordshipis pleasuir concerning the said lettir, and according to the King's Majesteis pleasuir.

I haue thought fitting to remember your Lordship that noe persuatione of any of my frindis shall mowe me to returne home, except your Lordship doe your selve advertise me by your lettir that there is good appearance of an agreement ; othirwise I will resolute to wndirgoc the toying and troubilsome lyf of a continowall suittour.

To the ryght honourable my werie good Lord, my Lord Earll of Niddisdail.

69. Mr. GEORGE CON, in Rome, to ROBERT FIRST EARL OF NITHSDALE.

Rome, the 10 of January 1625.

RIGHT HONOURABLE AND MY WERIE GOOD LORD,—My most humble seruis rememberit: Efter your Lordship's departour immediatlie it plisit my most honourable Lord Angus to go to S. Piter quhair your Lordship was rememberit, and frome thenee we did retourne to his Lordship lugginge, quhair your Lordship was rememberit againe be us all in the old fassone. Befor our retourne Maister Maxuel was come out, quha follouit your Lordship be post. In the meane tyme it was iugit necessair by his Lordship, and all the companie, that I sould vreat to your Lordship suehe things ais F. Elphinstoune did tell us, vithe teares and regrait, to uit, that James Maxuel beinge askit of his Generall the cause of his comminge out, he ansuerit that your Lordship hed commandit him in the King's name to leafe the Jesuits, and giue he sould remaine amongst them it uald be destructione of the hous of Nitisdail and Heres, togither uithe the vrak of his brother Sir Robert and all his frinds, and that your Lordship did threattnie hime vithe the disgrace of all his kin and frinds; so that pairtlie be threatninge, and pairtlie be faire promisis, your Lordship hed causit hime leafe them against his vill. This I vreat to your Lordship be counsel and eommand of my Lord Angus, quha vas persuadit of the contraire. Bot to the end that your Lordship be no more falslie blamit, it vill pleas your Lordship cause the said Maister Maxuel mak ane declaracione under his auen hand quhat mouit him to go out, and this your Lordship sall cause send to me; and giue your Lordship haue the foorst letter he vreat to your Lordship, I pray your Lordship to send to me also, because we ar all michtilie ingagit be his folie. Always your Lordship may dissimulat this vithe hime, ais also vithe the reast of the companie, only lait me haue the meanes to defend your Lordship's honour, and myn auen, becaus accordinge to his declaracione the mater uill be thoeht uerie odious in this Court. I vill tak the boldnes to reecomend to your Lordship the said Maister Maxuel frome my hairt, becaus quhat he hes done hithertill, hes bien of plaine simplicitie and inconstansie. I vill be no more troublesome to your Lordship; onlie I remember of neue my most humble seruis, prayinge God Almichte to be your Lordship's gydder, ais I sall pray

daylie. My Lord Erle of Angus remembers him to your Lordship ais appeirs be his auen hand vreat. Maister Duglas, Maister Rid, Maister Diksone, and all my Lord's companie, remembers ther seruiss to your Lordship, but specialie your treue frind Maister Douglas. It vill plis your Lordship to remember my seruiss to Maister Maxuel, Maister Vatson, Maister Car, and Maister Makinlyie. The Lord be vithe your Lordship for euir.

Right honourable and my verie good Lord, your Lordship's

Most humble and bound seruant,

George Con.

[The following note is holograph of William eleventh Earl of Angus, afterwards created Marquis of Douglas.]

MY LORD.—In the fit of Seigneur George, his letter, I doe testifie by wreitt, quhat I haue dyversly said by mouth, that I am in all assurance your Lordships faithful frind and seruitore,

Angus

All Illustrissimo Signore, Signore prone mio Colendissimo Il Signore Conte de Nitisdail, Loreto.

70. The SAME to the SAME.

The 3 of Februar 1625.

MOST HONOURABLE AND MY MOST NOBLE LORD, etc.,—Since your honour's depairtinge frome this, I haue resauit tua letters, on of the 15 and ane uther of the 17 of Januar, the quhilks did bringe unto me infinit consolatione,

alsuill for the neues of your honour's good healt he and happie successe in your uoyage, as for the letters I resauit tendinge to the confusione of our Bankiers, by the quhilks I did iustifie all things vithe Dik and Ramsay, so that Forbes is thoct to be ane honest man in all he spak for Androue. Vil. Brun and Cortnay askethe daylie for Mordo. The Duch mediciner giueth uerie littill satisfactioun to Hobb : and Maxuel hes gryt difficultie to kipe the ancient loue betuix the Polonien skipper and Lillies. Ther hes biene sindrie monies interceptit sent from Danskine. The man that geue the beads to Hector has bien no frind : the didlie ennemie to all the affairs did pas betuix the Polonien and thes of Barbarie, bothe in Danskine and utherquhair. It is necessaire that Blakhal resauie gold from Androue, utheruayes he can not subsiste. The More dois his best to diserydit Leslie at Paris, bot it vill not be in ther pouer so long ais Forbes subsists. Giue Robert and Villiam giue anie good testimonie off ther loue towards the Vobsters all vill go uill. It vill pleas your honour to schauie to Robert, Villiam, Hay, and Hector that quhilk Forbes did supplicat at your honour's depairtinge. Thomas hes neuer vreattin anie to Blakhall : quhat disgust he hes I knawe not. Vis God he uar als fortunat and uyse ais I desyre him. He quha vas luggit vithe your honour is to go auay to morrow. Maister Car and my Lord Loue ar to be gone schoirtlie. Vinzor and Maister Brun ar zit hier. All thir pairts ar in armes, and ther hes bien sindries killit on the uayes since your honour did depairt, quhilk maketh me that I vill neuer be at rest until I heir of your honour's happie arryue to Paris. So remembring my most humble seruise to your honour, I pray God daylie to preserue your honour to us all, and specialie to me, quha is, and sall remaine,

Your honour's most humble and deuot seruant,

GEORGE CON.

MOST HONOURABLE AND MY MOST NOBLE LORD,—I dout not bot your honour vill heir gryt exelamationes in eurie pairt against Hobbie. The caus they allege is that he fauours hunters.

71. Mr. GEORGE CON to ROBERT FIRST EARL OF NITHSDALE.

Paris, the 29 of May 1625.

MOST HONOURABLE AND MY MOST NOBLE LORD, etc.,—I haue resauit the longe desyrit neues of your honour's good healt he Sir James Achterlonie, by quhais courtesie I haid the honour to kis my Lord Carlil his hands, vithout anie forther discours. I intendit to haue gone to Leslie, bot ais zit I haue sin no fit opportunitie, and I am also doutsome quhoue he sould tak it. Quhatsomeuer hes bine said of Dik, ze may assure your self that he hes fauorit Villiame ais yet, and no man knaues quhat difficulties hes brokin out against us, bot onlie poore Forbes, quha uill at lenthe be vrakit, for the things he hes said and don against the Tartars and robbers. The intensiōe of Brun is no uayes to fauoure the More, bot onlie to kip the pairt quhair Hobbie remaines in quyetnes, and saue his bounds frome dansers. Let not Nicolas dissaue him self by leaninge too muche on the Polonien, for I assure zoue he is no les desyrous of peace nor the Turk him self is, and the Duche compleanes that Ramsay and Dik hes bin too slaue in this ther interpryse. This Mordo may belieue, becaus Maxuel knaues that it is treue. Some dayes befor Lillies was hier, Forbes uas send to treat some littil affaires vithe the Duche medieiner, and his mother, the laird, and the rest of ther frinds. He resauit gryt courtesie of them all, bot vas not knauen to be of Norroua. The rydder and his mother hes commandit the Corneman quhomie they send to Danskin, for to treat vithe Hobbie, that he bringe Maxuel unto them, that they may thank him for that he did in Paris. For the skipper hes vreättin all that passit, bot Blakhal hes not zit compirit in his auen name; for he siks thanks frome no man; onlie he desyrs that Nicolas be content of him, to the end that quhen he becomes ane Vyneman, (quhilk vil be schoirtlic, God villinge,) ther be no thinge to be laid against him bot his cread. Ther be sindrie hier quha sayethe constantlie that ther is gryt vind and raine in Grenland and Denmark, bot Forbes sayethe aluayes the contraire. Our vreater is bot zounge, and of verie littill experiens. I fear that Villiam persuad hir to do quhat he lykes, zit I hope he vill neuer desyr to mak hir ane hunter for his auen vill. Forbes vould be content to go to Barbarie, giue it var the desyre off Nicolas, or for to serue Mordo; utheruayes

he vill not moue untill his maister be saiffie in Danskin, and then he vill liue Dik and Brun bothe, to the end that Villiam haue no thinge against him. Thomas hes delt more onkyndlie vithe Maxuel nor euer he deseruit at his hands; bot all is on; Hectore knaues Forbes his pairte. Al that lyis in Blakhal's pouer he vill do for the seruic of Nicolas; ze giue it be Mordo his will, he sall go to Barbarie and serue him, and quyt Danskin for euer, so that his tread may be left frie. Giue Blakhall haid the fortoune to spik vithe Nicolas, he vould shaue him that it is no tyme for the present to put fyre againste gunners, for that is the onlie thinge that the Tartar desyres, to mak him odious to al breadsellers. Albit I be not myself in Danskin, our frind, quha is not laid vithe imaginationes, doethe faifthefullie for Forbes at Dik's hands, and quhat Blakhal vreats is al read be Hobbie. I sould think my self happie giue I sould haue the honour to knaue quhoue Hector's auen affairs gois, for be that Maxuel vould coniectoure somthinge. Quhatsomeuer is Villiam's vill Forbes vill do, so he vill do quhat Hector hes commandit hime. Maxuel hes sin Leslie, bot hes not spokin him for the reasons aboue vreattin. It vill pleas your honour to forgiue me for so mikill ydle tak, for they that hes no gryt purpos most somtymes mak suche discoursis ais commethe in ther heid. I pray God to preserue your honour long tyme in perfyt healtie, and grant zow al prosperitie.

Most honourable and my most noble Lord,

Your honour's most humble and affectionat seruant,

GEORGE CON.¹

72. SIR JOHN MAXWELL of Pollok, Knight, and others, to ROBERT
FIRST EARL OF NITHSDALE.

Frome the College of Lincolnden, the 24 of August 1625.

OUR NOBILL AND GUID LORD,—We zour Lordship's friendis being, vpone occasion of our greit distress, conuenit heir at Lincolnden, we all in ane voice haif resoluit to wryte to zour Lordship to vnderstand zour Lordship's will quhat cours we sall tak anent our distress as cautioneris, and haif zour Lordship's guid counsall and directioun thair anent, for, seing zour annuelrentis is not payit, our landis ar not onlie comprysit, bot also we ar denuncet his Majestei's rebellis, and lettiris of captioun gevin out aganis ws, sa that hardlie

¹ A notice of the death of Mr. Con will be found in a letter dated 29th January 1640, *infra*.

haif we eschapit hirthirtillis, and ar not suir hōw sone we salbe apprehendit, nothing douting, in the mein tyme bot zour Lordship knawis our distress als weill as we can wryte the same, and that zour Lordship wilbe als cairfull of our releiff as we can desyre. This far onlie we desyre to knaw of zour Lordship quhat we may expect anent our releiff, and gif that it can not be wrocht vponne ane suddant, that zour Lordship will travell be zour best meins, that the bodeis of ws, zour cautioneris, may be vntrublit, quhill ane convenient tyme that we may haif lasour to deliberatt quhat course salbe taikin thairin, and for that effect that ze will procurir ane protection to our bodeis, seing the creditouris hes ane sufficient suirtie, be apprysing of our landis, and so can not be disappointit of thair just debt and interes; and gif this cannot be gottin done (as we hoip it sall), that zour Lordship will gif ws zour best advyse quhat is the nixt course can be taikin thairin, for it will do ws greit plesour to vnderstand zour Lordship's awin mynd and directioun in thir our trubillis, and siclyk that ze will procurir a lettre to his Maiesteis thesaurer foir staying of the passing of our lyverentis and escheittis, and staying of the passing of ony infetmentis of our landis, quhill his Maiesteis plesour be knawin. We will not preseryve to zour Lordship ony farder, for we knaw zour Lordship's cair heirin. Earnistlie desyring zour Lordship to wryte to ws, with the nixt packeit, and recommending to zour Lordship and all zour affairis to God, we rest. Giff zour Lordship find not occasioun be pakett, we hoip zour Lordship wilbe plesit to send ws zour answer with sum of zour awin servandis.

Zour Lordship's to be commandit, to the vtermoist of our poweris,

CRAGS.

JAMES MR. MAXVELL.

JHONE MAXVELL,

CONHAITHE.

of Nether Pollok, Knight.

ARCHIBALD MAXWELL, Cowhill.

S. J. CALDERWOD.

To the richt noble and our verie guid Lord the Erle of Nithisdail,—these.

73. JOHN SPOTSWOOD, Archbishop of St. Andrews, to JOHN MURRAY,
Earl of Annandale.

Darsy, the 14 November 1625.

MY VERY HONORABILL GOOD LORD,—I resavit a letter from the Counsal to be

vp this Thurisday, but haif sent my servant to excuse me, because of my vnfitnes to travel in this weather. I am most sory to heare how materis ar caryed, and that, as your Lordship spak, it seemis the questioun is, quhither the Kinge sal command, or be commandit. They tel me of sik a busines was made the last Tuesday, as if your Lordship heare it, ze wil think worse of then of the Conventioun. I pray God turn al thingis to the best for his Majestie and the realm. And now wishing your Lordship al happines, and in special a good journey towardis Court,—I rest, your Lordship's assurit to be commandit,

Samuel R. H.

Pleisc zour Lordship delyvir my letteris to the berar quhairof zour Lordship told me. He wil return tham safe vnto me.

To my very honorabill good Lord, my Lord the Erle of Annandaill.

74. The SAME to ROBERT FIRST EARL OF NITHSDALE.

Darsy, 14th March 1626.

My service remembrit to zour Lordship.—I resavit zour Lordship's letter in favoris of Mr. William Maxwel, and sal give him satisfactioun, nether sal any Maxwel fare the worse, as zour Lordship wrytes for zour request. As to Mr. Hegge, I advertised zour Lordship that I stood obliged otherwyse, and culd not pleasure him at this tym, zit hath he been very importun, and if I had been free, as I wes not, I know no obligatioun that culd ether bind zour Lordship or me vnto him, specially quhen I remember his careage at this tym in Court, quhairof it may be zour Lordship hath not heard, but I haif not dissembled the sam to him self.

Now, for other affairis, I leave them till I heare how thei ar determined. In the mean tym, al thingis ar loose heer, and the combination holdes firme, quhich zour Lordship saw at Courte ; quhich his Majestie's service wil hardly endure. I haif schewen zour Lordship my mynd for Archibald Primrosse, that he suld not be charged, for zour Lordship sal not know how to beginne without

him, and to amend thingis that haif been supposed faulty, or caryit fraudulently, thair wilbe tym ynough, quhen zour Lordship cummis home. In the mean tym, zour Lordship sal rest perswadit of me that I am, and wil remain,

Zour Lordship's most assurit to serve zow,

SANCTANDREWS.

To my very honourabill good Lord, my Lord the Earle of Nithisdail.

75. The SAME to [the SAME].

St. Andrews, the 4 Apryl 1626.

MY VERY HONOURABILL GOOD LORD,—I doubte not but zour Lordship is advertised by otheris that wer present at Counsal, and saw the careage of matteris how thei went, as likwyse quhat our sessioun is lyk to prove, except another course be taken. I haif written to my Lord of Ross heerin at lenth, quho wil communicat my letter to zour Lordship. They haif sown a dissention among the burghis, and made that mater diffiil that wes easie. But the best wilbe that zour Lordship bringe down several letteris to the principal townis to doe for their own partis if thei refuse in common to condescend. If ministers hold good, as I hope thei sal, we sal find meanis to mak al the rest or most part of them follow. But zour Lordship wold haste zow down becaus of som ordour to be taken in the taxation, for the term approachis, and thair be no letteris gifen furth to collect the sam as zit. I wrote befor, that zour Lordship wilbe compellet to vse Archibald Primrosse, and may wel ynough provyd against al deceat. As for other thingis, thei cannot goe right except thair be hear a commissione of men to joyne in the service. I wil beseech zour Lordship to remember my service to my Lord Duke his Grace, and to put him in mynd of his Grace's promise for the releef of our poor marineris that lye prisoneris at Dunkirk.

Zour Lordship wold be pleast also to move sumquhat for my lord of Ross, or cause the Duke speak it, that til thair bee better tymis, he may haif at least a precept to our thesaurir for fyve hundreth pundis to releive his chargis, or sum part thairof, otherwys he wilbe vndone, and made vnable to serve.

The oppositis stil talk, that al ar bankruptis, and vnworthy men that stand

against them. I wish their were a turn, and thei had thair tym about of waiting, to see if thei sal proove better husbandis. I pray God send zour Lordship a safe and speedy return.—Zour Lordship's assurit to serve zou,

SANCTANDREWS.

[Address wanting.]

76. The SAME to the SAME.

Darsy, 8 August 1626.

My service remembrit to zour Lordship.—I resavit this day a letter from my Lord of Anandail, quhairin he schewis me of his return to England, and referis al busines to zour Lordship's information, desyring me to communicat with zour Lordship my best advyse for ordering materis in his Majestie's service. Heervpon I haif sent to know zour Lordship's dyet, and quhair I may see zow; and wold think very meet that my Lord of Montrosse and my Lord of Stormont wer with your Lordship also, that somquhat myt be resolvit for prosecution of his Majestie's affairis, quhich wil turn to nothing in end, breed his Majestie offens, and be thair dishonour and hasard otherwyse that medle in them, vnless ther be a solide cours layd down and followed. If zour Lordship think good any tym this week to cum quyetly to Brunteland or Falkland, I sal observe the heure zour Lordship appointis, and the place, and advertis those noblemen if zour Lordship think good, quho, I know, desyre to see zow before zour parting. I rest to zour Lordship's ansuer,

Zour Lordship's assurit to serve zow,

SANCTANDREWS.

To my very honourabill good Lord, my Lord the Erle of Nithisdail, at Edinburgh.

77. The SAME to the SAME.

Darsy, the 12 August 1626.

My service remembrit to zour Lordship.—Before I resavit zour letter, I had written by a servant of my Lord of Scone's, to know zour Lordship's dyet, that the Erle of Montrosse, the Lord of Stormont, and I myt haif seen zour

Lordship, and conferret of the state of busines. But sen that occasion hath not offerit it self, I must shortly say that the occasioun is fair for mending al erroris past by the late Convocation, quhich if his Majestie apprehend, as every man thinkis he wil, thair wilbe a more easie way for carying his service, and otherwyse men must look to it, and prepare them selfis for the worst. It appearit to me by the commissionis that the Erle of Anandaill and the Bishop of Rosse broght of agreeing the Chancellar and me, that thair wes no intention of change, quhich God is my witnesse I desyre not, if his Majestie wer servit truly; and tho' thej wer my mortal enemyis, I culd follow and joyne with them from my heart, forgetting al quarrelis. But quhen that is not now to be expected, quhat availis it to be in sik firm frendship. I was nevir so disposed, as for my private wrongis, how great soever thej had been, to breed difficulties in his Majestie's service. Often I haif gifen my opinion, for I sawe it perfectly, that vnless another cours wer taken nothing wold proceed heer, and let them promis quhat thej wil, the effect wil so proove. Gif also many commissionis as ze wil, they sal turn to noght. In summa thair hath nothing been done hithertilis as oght to haif been done; and if thair be any apperance that thingis wilbe amendit, vpon zour Lordship's advertisment, I sal gif my opinion how thingis suld and must be caryed, if his Majesty wold cum to his endis, and, howevir thingis goe, remain his Majestie's true servant, and zour Lordship's constant freind to serve zou, not with French complementis, but in most sincere and heartie affection. So wisching zour Lordship al happines and true contentment, I rest, zour Lordship's most assurit to serve zow,

SANCTANDREWS.

To my very honourabill good Lord, my Lord the Erle of Nithisdail.

78. The SAME to the SAME.

Leyth, the 22 September 1626.

My service remembrit to zour Lordship:—I doubte nothing but zour Lordship is advertisit by zour freindis quhat adoe hath been heer those two last dayis of Counsail for the insolent behaviour of papistis. I wes not present at the

first day. This last, the ministeris of Dumfreis cam al in, and gave many delatiounis to the Counsail of the disorderis in those partis, laying the blame of al the infection quhich is in that country vpon your Lordship and my Lord Hereis. It is pitie your Lordship wil not be movit to leave that unhappie course, quhich shal vndoe your Lordship, and mak us al sory that love you, and how much prejudice in the mean quhyl this wil bringe to his Majestie's service, I cannot expresse. As your Lordship lovis his Majesty, the standing of your house, zeal, and the safety of your soule,—for I must speake so, quhatsumevir your Lordship thinke, and it is truth I speake,—tak another course, and resolve at least to be an hearer of the worde ; for your Lordship not resorting to the Church quhen you wer last at Edinburgh, hath gifen your adversaries a greater advantage than any thinge else. How his Majestie wil settle thingis, al men heer mak thair coniecturis as thej ar affectionat ; but I beseech your Lordship, travel to haif som settled course taken, else his Majestie's service wilbe vndone by these factionis. For my self, I sal wisch and pray that thingis may be weel, but am very doubtful til I see the end that matteris shal tak, the end quhich your Lordship's last letter gave hope of.—So I rest, your Lordship's assurit to serve you,

SANCTANDREWS.

To my very honorabill good Lord, my Lord the Erle of Nithisdail.

79. SIR WILLIAM KER, second son of Mark first Earl of Lothian, assuming the title of EARL OF LOTHIAN, to ROBERT FIRST EARL OF NITHSDALE.

10 November 1626.

MY SPECIALL GOOD LORD,—Pleas your Lordship, I am maid to wnderstand that Sir Robert Ker hes moist senestruelie informed his Majestie of my prosidingis sene my cuming to Scotland : First, that I sould haue vsurpit ane tittle of honor not belonging to me by richt ; nixt in introwding my self violentlic in possessioun of his escheitt teindis. Now, my guid Lord, quhair throw I may mak account to your Lordship of all my actiounis, and speciallie of thois quhairin I am taxit of to his Majestie,

your Lordship wilbe pleased to know that thes tittle of honor belongis dewlie to me and to none ells, as my patent verifies, quhilk King James, his Majestie's father, of worthie memorie, bestowed vpon my father and his airs maill, for his guid service donne and to be donne to his Majestie. As in vsurping of it vithout his Majestie's consent, your Lordship knawis that the lawis of our countrie meantinis all noblle men to assume the tittle immediatlie efter the deceis of his predecessoure, (quhilk I nicht haue donne at the present tyme of my brother[s] deceis,) bot leist the honor sould haue sufferit desgrace throw my wantis, I lurkit a little; and befor I wald presume to meddle vith it, I crawled the happines (by your Lordship's credit) to haue his Majestie's consent to authorise it, and all my vther richtis, in so fare as could stand be law. Your Lordship will testifie quhat his Majestie's mynde was at my last being their. As for the vther point, of introwding my self violentlie in possessioun of Sir Robért Ker[s] escheitt teindis, I salbe ansuerable to your Lordship of no violens. As also ze wilbe pleased to be informed be thes quhilk I haue sent to your Lordship from my adwocatis, that I haue donne, nor sall do no thing bot quhat salbe warrentit be law. And, my Lord, leist his Majestie sould think that I intend by it to oppone my self agense his revocatioun, your Lordship wilbe pleased to promise obediens in me to his Majestie's vill, quhilk I sall performe trewlie vpon your Lordship's adwertisement. I thocht meitt to acquaint your Lordship that their ys ane generall restrent of all actiounis haueing relatione agense his Majestie's revocatioun. And seing now Sir Robert hes intendit actioun agense me, he moist haue [his] Majestie's particular letter to insist in it, quhilk wilbe thocht moucht of him to haue that credit quhilk is altogather refusit to vtheris, for I will assure your Lordship I dout nō wayes of my richt. My Lord, the haill countrie hes raisit insidens agense his Majestie's improbatioun, and I knaw they wilbe delatit. So giue his Majestie be informitt of me, your Lordship wilbe pleased to ansuer for me, that it is not donne to ganstand his Majestie, bot only to mak me abill to do his Majestie's service; for giue all salbe producit, his Majestie will find our richtis to be sufficient; for, as I promised to your Lordship at your away going, I salbe content vpon your Lordship's assurens of his Majestie's fauor to me, to put all my richt in his Majestie's will, altho' it war never so indoutit ane richt, as I knaw i[t] to be, giue his Majestie will except of my service to be ane example to the rest.

Adwertise me quhairthrow I may do no thing in prejudis of that servise quhilk I intend to do to his Majestie. With thes requisting the continewens of zour Lordship's fauor to me, quho sall indevor him self by all meanes to seik occasioun to serve and honor zour Lordship moist trowlie, as it becumis me to remeane,

Zour moist obedient and obleised seruand,



I pray zour Lordship to remember of me quhen zour gritter affaris ar endit.

To the rycht honorablle his special good Lord the Earlle of Nithisdail.¹

80. COLONEL ALEXANDER SETON to ROBERT FIRST EARL OF NITHSDALE.

Butsenbvrgh, 11 Juny 1627.

RYCHT HONNORABELL,—I haue receauit the honnor of zour Lordship's letter, and haue with all dilligence presentid zowr Lordship's humble seruice to his Majestie, with a relation of the greit trobell and charges zowr Lordship is att. His Majestie did graciosly wis the aryuall of zowr Lordship and the rest of the troupes. Thair is some discontent that thoos men that are sent before war not put in companies. Our armie is in good cas, God be praised, but I houp sal be better when we sal be honnorit with such a worthie head aes zowr Lordship, wich others doos envy. I dar not trust my pen to moch, bott, God willing, I sall not feall to schaw my self zowr Lordship's triew affectionit seruant, and to zowr Lordship's comming I sall indevoir me self to do all the good offices that

¹ On the death of Robert second Earl of Lothian, without male issue, in 1624, his immediate younger brother, Sir William Ker, as his heir-male, assumed the title of Earl of Lothian, on the grounds stated in this letter. But the Lords of Council prohibited him from using the title. The title was continued in the heirs of line of the second Earl.

lyes in me. The good rapport and oppinion of Sir Thomas Kelly of me to zowr Lordship sall serue me as a spvr to perform that wich his expectation did promis. I am sory that we haue nothing yt sturring worthie to aquent zowr Lordship. Our ennemie and we are lying att a long gard till corn and ambition be reyp, of wich we most expect some schange. God turne it to the best, and me to be able to continu, rycht honnorabell, zowr Lordship's triew devotid and humble seruitor,

ALEXANDER SETON, Lt.-Collonell.

To the rycht honorabell and my verie good Lord, my Lord Earle of Nydsdail,
Generaell of the Scottis in seruice of his Majestie of Dennemercck.

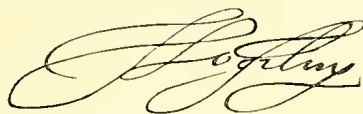
81. JAMES EIGHTH LORD OGILVY, afterwards Earl of Airlie, to ROBERT
FIRST EARL OF NITHSDALE.

Ballashone, 21st Junij 1627.

MY VERIE NOBLE LORD,—I will assur zowr Lordship if ze do not moue the Lordis off Counsell to distribut all the shyris of this kingdome equalie betuix the colonellis, with the reseruaciones and prouisioncs contined in the peper penned be Thorntoun, zowr Lordship wilbe fardder preiudged nor ze can expectt. For the Chansler hes wrettin to the borrowes, and to the special men of the landward parochenes, to giue all thair enrolled men to my Lord of Spynie his capitanes. And the Chansler hes wrettin particularlie to the toune of Dundie, to giue thair enrolled men to Capitane Blair, sone to the Laird of Bagillo; and I am certanlie informed that thair ar fiftie men enrolled be the Counsell of Dundie; and so, iff my Lord of Spynie and his capitanes be such letteris of recommendatione get all the men enrolled in the haille borrowes, and the best most pairt of the enrolled men in the landwart, they, with such help, wilbe able to list all thair men against the fyft day of Julii nixt, and zowr Lordship wilbe altogether dissapointed. Thairfor, seing this maitter concernes both zowr awin creddeit and the creddeit of zowr freindis, quha ar both willing to assist zowr Lordship, and ar also oblished to list thair freindis compenies, I will requyst zowr Lordship to procur ane divisione of schyres be casting of

lottes, with reseruatiōne of such men as ar in zour auin landis, and in the landis of any of zour offiseris, and in thais menes landis quho ar obleished and cautione for lifting of the eompenies off zour eapitanes. I pray zour Lordship wrett to me quhat is done heirin, and quhat shyres is alloted to zour Lordship; and if ze get Angous I protest for it; and if ze get it not, I desyr to haue my ehoyse off the neirest and most commodious sehyre wnto my duelling houss of all thais that falleth to zour Lordship's pairt. Bot if zour Lordship get the Mernes, I am content that Thorntoun get itt. I pray zour Lordship consider the vther letter, and send the berer bak agen with all haist. I remember my hairtlie deutie, and restis,

Zour Lordship's affectionat freind, reddie to serve zow,



I pray zour Lordship let thir men, quhom I am to send presentlie to zour Lordship, be preferred to haue place in the reddiest ship that lyes in the raid of Bruntland, that they may go first to Germanie, for Capitane Ogiluy hes keiped them ane month at leist vpon his hand, and they wilbe in number four seor men at leist, together with thir tuentie sevin that I haue presentlie send to zour Lordship. I will requyst zour Lordship to send with the berer fortie or fiftie sute of apperrell, or mor, if they be reddie, for they ar verie pretie men, bot iwill apparrelled, and such as ar iwill eled of this number, quhilk I haue presentlie send, may be first apperrelled; and zour Lordship will do weill to send the rest of the reddie clothes with the berer, Henrie Roeh, and cause dispatch him with haist, and eause resauē thir men, and, God willing, within thrie or four dayes, zour Lordship sall haue fiftie or thrieseor. Therfor, I pray zour Lordship reserve roume in the ship for them, for I wold wish our men sould go first away to Germanie in the reddiest ship, and altho' zour Lordship cause the ship stey thrie or four dayes for so good ane errand, itt wilbe no grit preiudice. I think zour Lordship will do weill iff ze appoint ane of the soldartis that Thorntoun broght from Holand, to be ane off Capitane Ogiluy's sergentis, and eause him be in reddines to go away with Capitane Ogiluy's men, for then he might at his eoming from Germanie resauē the rest off

Capitane Ogiluye's men that went to Germanie with zour Lordship's sergent, called Sergent Stewart. I will requyst zour Lordship to desyr Thorntoun to mak ehoyse of ane discreit and expert sergent to go with Capitane Ogiluye's men, for I know that the soldartis quhilk Thorntoun broght from Holand ar in Edinburgh, and reddie to attend zour Lordship's imploymentis.

To my verie noble Lord the Erle of Nithisdail.

82. The SAME to the SAME.

Bollashone, 22 Junij 1627.

MY VERIE NOBLE LORD,—Such men as Capitane Ogiluy hes keiped at my housse of Bollashone thir fourtein dayes bygone, ar send to zour Lordship with the berer. They wilbe in number twente sevin men, and they ar als able men as any soldartis that salbe in any off the regimentis. Quhairfor I will requyst zour Lordship to caus entertein them weill, and send thair clothes to Bruntiland with the berer, for they will not imbark with good will execept they get thair clothes ; and if all thair apperrell be not in reddines, zour Lordship may caus giue them so many as ar reddie, and caus begine at such as ar worst apperrelled. And iff zour Lordship's ship sall sail presentlie to Germanie with them, I will requyst zour Lordship to comit them to some discreit and cairfull sergent, quha may delyver them in Germanie to Sergent Steuart, zour Lordship's awin sergent, for he resaued the rest of Capitane Ogiluye's men quha went first away to Germanie ; and I will requyst zour Lordship to wret to Sergent Stewart to wss them weill, and to be cairfull not to suffer any of them to rune away from him. I heir that Capitane Ogiluy hes some fiftie men presentlie coming from the north, quhilk salbe send to zour Lordship, so sone as they sall come heir, quhilk I heir wilbe within thrie or four dayes. I will, therfor, requyst zour Lordship to eause resauie them how sone they come, and I houp they sall come in tyme to go with this ship quhilk I left at Bruntiland, quhairin war the men givin be my Lord Gordone. I will assur zour Lordship giue ze do not moue the Counsell to distribut all the schyres of this kingdome equalie betuix the collonellis, with the reservationes and provisiones contained in the peper penned be Sir Alexander Strachane of Thorntoun, zour Lordship will be

fardder preiudged nor ze can expectt, for the Chansler hes wrettin to the Borrowes, and to the speciall men off the landwart parochens, to giue all thais quha ar inrolled to be soldartis to my Lord off Spynie's capitanes, and he hes wrettin particularlie to the tounce off Dundie to giue thair enrolled men to Capitane Blair, son to the laird of Bagillo. I heir that ther ar fiftie men enrolled be the Provest and Counsell of Dundie, and the Provest told me zisterday that the Chansler had alreddie wrettin to him for them, and if my Lord of Spynie's capitanes, be such letteris of reccommendatione, get all the men in the borrowes, and the best part of the men in the landwart, they wilbe able to list all thair men agenst the fift day of Julij, and zour Lordship wilbe altogither dissapointed. Thairfor, seing this maitter consernes both zour Lordship's awin credcit, and the credeit of zour freindis, quha ar both willing to assist zour Lordship, and ar also oblised to list thair friendis compenies, I will beseik zour Lordship to procur ane divisione of the shyres be lottes, with reservatione of such men as ar in zour awin landis, and in the landis of zour capitanes, and in thais menes landis quho ar oblised and cautione for listing of the compenies off zour capitanes. I pray zour Lordship wrett to me quhat is done heirin, and quhat shyres is allotted to zour Lordship, and if ze get Angous, I protest for itt, and iff it fall not to zour Lordship, and if ze get Fyff, Stretherne, Mar, Buchan, or Abberdeine, I pray zour Lordship mak me acquainted, that I may haue ane commodious shyr neir to my duelling. I remember my hartlie deutie, and restis,

Zour Lordship's affectionat freind, reddie to serve zow,

J. L. OGILVY.

It will pleis zour Lordship to resaue the roll off the soldartis naimes.

To my verie noble Lord, the Erle off Nidsdaill.

83. JAMES EIGHTH LORD OGILVY, afterwards Earl of Airlie, to ROBERT
FIRST EARL OF NITHSDALE.

Kinnell, this Fryday, 29 Junij 1627.

MY VERIE NOBLE LORD,—Thir lynes ar to requyst zour Lordship to cause haue ane ship in reddines to resaue such soldieris as Capitane Ogiluy hes broght

from the north, for he hes keiped them this long tyme alltogether in Abberdein, and I am eertane zour Lordship knowes how fescheous and hazardous it is to keip ane number of men ane long tyme together, for they must haue good attendence in the day tyme, and lykwys they must haue ane strong watch of fresh men in the night ; for my hous of Bollasehone, quhair they ar now keiped, is not ane tour having the eommoditione of ane gett, bot it is bulded round about, quhilk is not so eommodious for strenth for keiping thais men. So that ane ship is the surest way to keip them weill, and, therfor, I pray zour Lordship eaus prepar ane with dilligence, for sundries of zour Capitanes hes send men throch this eountrey some few dayes senee, quhilk I am certane ean not be stowed in the last ship quhairin zour soldieris maid the mutinie ; and it is best to send them to Germanie quhen ze ean haue ane ship suffieientlie fraughted. I will send ane servand of my awin to zour Lordship, within ane day or tua at fardest, to know quhen I sall eaus send zour soldieris to zour [Lordship], quhilk I wish sould be schortlie ; for the Capitane can not convey mor men in respect off the narrow ludging quhilk they haue in Bollashone, quhill first thir men be resaued. I will desyr zour Lordship to giue direetione to haue eloths in reddines for thir men, and not to giue them to any vther men, for I will send within ane day or tua for them ; for it does mutch good, and ineurages many, quhen they sie the soldieris weill vsed, and speeiall quhen they sie them pase throch the euntrey weill apperrelled. I remember my ,hairtlie deutie, and restis,

Zour Lordship's affectionat freind reddie to serve zow,

J. L. OGILUY.

To my verie noble Lord the Erle of Nithisdail.

84. The SAME to the SAME.

Forther, 9 July 1627.

MY VERIE NOBLE LORD,—Iff ze wilbe pleased to tak the paines to speik to the Erle off Melros, and requyst him to assist that I may haue ane warrand for apprehending and giueing to my cousing Capitane Ogiluy all the inrolled men within the regalit[i]es off Arbroth and Couper, quhairoff I am heritable bailze to his Majestie : As lykwys that I may apprehend and giue to my cousing the in-

rolled men in my awin landis within the parochenes of Kinnell, Kingoldrum, Cor-toquhy, Lentrathen, Airle, Alith, Glenilay, and Killemur ; and iff ze can procur the said warrand, subseryved with ane blank, with rounge to insert some vther paroches, quhair my freindis landes lyeth, ze will do exceeding weill, for be this meines my freindis wold giue thair inrolled men to be apprehended be me. And iff zour Lordship obtaine not this warrand, I will assur zour Lordship I can not be able to do zour Lordship any more good, for the wolenteris ar alreddie all waged, and no man can be apprehended but ane warrand, in respect off the ordinance laittie maid be the Counsell. Thairfor, I will requyst zour Lordship, efter ze haue spokin the Erle off Melros, send for my Lord Advocat, and aequent him with my desyr, that be his advyse ane warrand may be penned for me, as said is. And I think zour Lordship may obtain warrandis for apprehending and giueing off the enrolled men to zour eapitanes, als weill as vtheris do purchase the same for thair freindis, for iff thais warrandis for giveing of the enrolled men and apprehending them, pase be the consent off the haill lordis off Counsell, ze may get such fauour as vtheris geteth. And iff thir warrandis be purchased and acqueired be the consent and subscriptione off some few counsellouris, zour Lordship may acqueir the lyk moyen and fauour. For zour Lordship may persaeue be thir enclosed letteris, vrettin to me be the Bischop of Brichen, and be Mr. James Robertsons, petago[g]e to my sone, remaining at Dundie, that the Chansler hes appointed the enrolled men that ar in the toun of Dundie to be giuein to Capitane Blair, sone to the Laird of Bagillo. And zour Lordship will persaeue mor be Mr. James Robertsons letter, (quhair of I do mutch mervell,) wrettin at the Provestis desyr to me, schawing that the Chansler has alreddie procured ane warrand from the Counsell, (quhilk, the Provest said to him he had in his poked,) commanding him to giue all the inrolled men within the toune off Dundie to Capitane Blairs vse ; and I heir that thair ar ane hundreth men inrolled in Dundie. Lykwayes I heir that the Chansler hes giuein warrand to giue to Capitane Blare all the inrolled men within six paroches, quhair of Couper in Angeus is ane, quhair off I am heritable bailze ; thairfor I pray zour Lordship purchase the lyk warrandis to me, and specially in the regalites quhair of I haue jurisdictione, and in my awin landis at leist, and vse zour Lordship's best moyen with such as ar zour Lordship's freindis in Counsell for this effect. And haist the berer to me with the saidis

warrantis, and cause insert the particular paroches aboue wrettin, and the tua bailzeres of Arbroth and Couper. I remember my hairtlie deutie, and restis,

Zour Lordship's affectionat freind reddie to serve zow,

J. L. OGILUY.

I will requyst zour Lordship to advertes me with the berer, and wrett to me the naime of the commander to quhom zour Lordship committed the cair off the 27 men quhilkis I send to zour Lordship's ship that ley at Kirkadie, and quha war first resaucd be Lieutenet Dicsone. Lykwayes I wold know the seriantis naime wnto quhom zour Lordship hes committed the cair off thir 49 men, for they war all good fellowes, except tua, quhilk in effectt war too littill to be soldieris. I think if zour Lordship could purchase letteris to charge Dundie, Perth, Abberdein, Montrose, Brichen, and Arbroth, Forfar, and Kille-mur, to giue thair enrolled men to Capitane Ogiluy, zour Lordship wold do grit good to zour self.

To my verie noble Lord, the Erle of Nithisdail.

85. The SAME to the SAME.

From the Church off Kingoldrum, the 11 of Julij [1627].

MY VERIE NOBLE LORD,—Iff zour Lordship resaues any letteris from Court from Sir Alexander Strachanc, or Sir William Allexander, direct to me, I pray zour Lordship cause giue them to Mr. Adame Habrone, servitor to the Erle of Melros, quha will send them to me.

I will requyst zour Lordship to advertes me iff ze think it necessar that I lerne the naimes of the enrolled men for the warres into the haill paroches of Angous. As, lykwayes, I pray zour Lordship to try iff thair naimes must be insert in the letteris and chairges giuein be the Counsell, quhairbe the magistratis of tounes and heritoris in the landwart may be chairged and moved to exhibit and delyver them to zour capitanes. I think iff zour Lordship wold deall earnestlie with the Clerk off the Counsell, (if he be the resauer of thais rollis,) to giue zour Lordship inspection thairoff, zour Lordship may be this meines get notice of them, and thairefter vse charges for getting off them. Bot, as I remember, zour Lordship wret to me that zour Lordship wold get

inspeetione thairroff befor the Chansler sould sie them. Thairfor, I pray zour Lordship vse all meines possibill to try the haill naimies of all the enrolled men within all the paroches of Angous, and send to me ane roll and note of thair naimies with all haist, with letteris to chairge for them, to the effectt that the magistratis and vtheris mak not the ordiner pretext that is maid, that they can not delyver any enrolled man, becaus ther is no warrand shawin to them quhairbe they may be ansuerable to the Counsell for the giucing of them, and sundries affirmes, (as be example, the toune of Dundie,) that they haue the Counsellis warrand for giueing thair inrolled men to Capitane Blair. I wil assur zour Lordship the gritest pairt of the ministeris does keip and conseil thair inrolled men so secretly, that I can not lerne of them thair naimies, thairfor zour Lordship must vse meincs not only to try thair naimies be the Clerk off Counsell or vther, bot also zour Lordship will do weill to mak me acquainted with the rollis of Angous, and acquent Thorntoun with the Mernes, and in his absence acquen[t] Lieutenant Troup, quha lyeth at Montrose in Angous. And I pray zour Lordship send heir to Capitane Ogiluy all warrandis neidfull. Thorntoun shawes me that he appointed ane auld soiour to be ane serient to Capitane Ogiluye's men, thairfor I pray zour Lordship giue him directione to assemble all Capitane Ogiluye's men togither in Germene, and wret to zour Lordship's sergent, called Steuart, to giue to Capitane Ogiluye's sergent the men that he resaued pertaining to Capitane Ogiluy, and I will requyst zour Lordship to giue to this serient quhom ze haue givin to Capitane Ogiluy the roll off the haill naimies of the soldieris that Capitane Ogiluy send to zour Lordship. I remember my hairtlie deutie, and restis,

Zour Lordship's affectionat freind reddie to serve zow,

J. L. OGILUY.

To my very noble Lord, the Erle off Nithisdail.

86. JAMES EIGHTH LORD OGILVY, afterwards Earl of Airlie, to ROBERT
FIRST EARL OF NITHSDALE.

Alith, 1 Agust 1627.

MY VERIE NOBLE LORD,—I will requyst zour Lordship to advertes me with the bercr, if the ship be sailled quhairin the last men war put, send be Capitane

Ogiluy, for I think Capitane Hamiltounis men and Thorntounes men war put also in that ship. So iff shee be not sailled as zit, and iff there be roum in hir for mor men, I wold be acquainted presentlie ; for I wold send some mor men to be put with the rest off Capitane Ogiluye's in that same ship, for I wold wish that so many off his men sould be put together in ane ship as possibill can be ; for I think it not good that they should go away so scatteringlie in sundrie shipes, execept zour Lordship hes givin direetione and wrettin to Germanie to Sergent Zoung to resaeue them thair, and to assemblie all Capitane Ogiluye's soldieris togither ; and iff zour Lordship hes not alreddie wrettin to Sergent Zoung, I will requyst zour Lordship to wret to him with the first ship that goes thair, desyring him to convein all Capitane Ogiluye's men according to the rollis of thair naines, and I will requyst zour Lordship to send him the said rollis, with advertesment quhat officeris resaued them in ship boord in Bruntland and Leith. I will requyst zour Lordship to wrett to the said Serient Zoung (quha is Capitane Ogiluye's sergent) to convein all the Capitane's soldieris in Germanie, quha ar thair alreddie, extending to aught seor ; and also I will pray zour Lordship at all oecasiones, quhen any off Capitane Ogiluye's men ar send to Germanie, to wrett also to Sergent Zoung to resaeue such as salbe send, and send him the rollis of thair naines, and aquent him quha he is that resaeues thes men in Seotland in shipboord.

And iff the said ship be alreddie sailled quhairin Capitane Ogiluyis men war last put, I will requyst zour Lordship to wrett to me with the berer iff thair be any vther ship in reddines presentlie, or quhen zour Lordship will haue ane ship reddie ; and I sall send soldieris to hir als shortlie, as ze pleis appoint ; and I pray zour Lordship eause haue the ship reddie against the day zour Lordship appointis. Bot iff the vther ship be not sailled, and iff thair be roume in hir for some mor of Capitane Ogiluye's men, I wold wish them to be send togither, with direetione alwayes to delyver them in Germanie to Sergent Zoung. I remember my hairtlie deutie, and restis,

Zour Lordship's affectionat freind and servand,

J. L. OGILUY.

To my verie noble Lord, the Erle off Nithisdail, this be delyverit.

87. JAMES EIGHTH LORD OGILVY, afterwards Earl of Airlie, to ROBERT
FIRST EARL OF NITHSDALE.

Airlie, 7 Agust, at night [1627].

MY VERIE NOBLE LORD,—I am mervellous gled of the good newes I resaued from zour Lordship, sehawing that the Counsell had maid ane distributione off the whole shyres in Seotland, and I am exceidinglie weill pleased that zour Lordship hes maid choyse of the shirefdome of Angous, for I houp that zour Lordship sall find into this shyr not only suffieient stor of men, bot also verie weill willed freindis to tak paines to sie the rollis weill and rightlie giuein vp, and lykwayes sall be most cairfull to tak and apprehend them quha salbe inrolled. Thairfor, I will most humbillie requyst zour Lordship to do me this speeciall fauour, (quhilk I sall eairfullie requyt with the best service, and most feetfull freindschip that I ean performe,) to mak partieular ehoyse off the shirefdome of Angous for zour selff, and do not quyt itt for no entreatie quhatsumever. For, seing, as in tymes past, (as zour Lordship knowes,) some pouerfull requystis hes prevailed mutch against zour Lordship in this bussines, and speciallie in thir pairtes ; thairfor, I am forced, in eonsideratione of that preiudice zour Lordship hes susteined, to reduble my requyst againe, that zour Lordship wold be pleased to mak ehoyse off Angous, and let no mane's entreatie prevail to persuad zour Lordship to enterchainge itt with any shyr quhair the Erle off Marishallis landis lyes, nather with any vther shirefdome quhatsumever. In doing quhair of zour Lordship will obleis me to be zour perpetuall servand ; and becaus zour Lordship shawes me that no eoloneles sall haue power of vptaking of any men within the shyres which ar appointed for vtheris, thairfor I wold be partieularlie informed be zour Lordship, if zour Lordship mak choyse of Angous for my eause, (as I houp zour Lordship will do,) iff we can repait and claime bak agen any enrolled soiouris which ar alreddie apprehended and taken be vther capitanes, and ar zit still in thair possessioun, and not transported as zit to Germanie, or iff we sall only haue right and tytill to thais inrolled personis quha ar not as zit apprehended be any capitane. For iff thais eapitanes, quha hes apprehended thais men in this shyr, be obleished (be vertew off this newe divisione) to restor thais quhom they haue taken in our

shyr, then I think thair must be letteris raised to arrest them, and to chairge for redelyverie of them, and iff it be appointed that they quha gettis any shyr sall only haue for his sc[h]air such inrolled persones quha ar not zit seised vpon, then I think in this caise thair sould be letteris raised to chairge and inhibit all vther capitanes and thair offiseris quha hes not ado with that shyr, not to medle with any off thais men appointed for vtheris. I will, thairfor, expect zour Lordship's ansuer to this haill letter, and I think zour Lordship wold do weill to acquent my Lord Advocat with zour bissines, and advyse with him quhat lawfull course zour Lordship sall vse to impeid and hender vtheris from meddling with the enrolled men in the shyres that fallis to zour Lordship's sc[h]air, for I will assur zour Lordship they will vse all dilligence to lift vp all the enrolled men they can presentlie haue throchowt all this kingdome, be thair pouerfull recommendationes and letteris off requyst, and thairby will prese to prevent zour Lordship, and mak the Counsellis good ordinance annent the distributione off the haill shyres amongst the thrie colonelis als unprofitable as may be, quhilk must only be prevented throch zour Lordship's grit cair and dilligence. For iff ze do presentlie provyd lawful meines to impetch any vther colonell to incrotch vpon the shyris destinat to zour Lordship, ze may easle thairefter apprehend the men vith ease and in securitie. I think, God willing, to send zour Lordship ane good number off the bravest soldartis that ze haue sein as zit, and sall haue them tymlic at zour Lordship to be embarked in this same ship that is reddie at Bruntiland. Thairfor I pray zour Lordship keip good rume for ovr men into that ship, for I had send them to zour Lordship long sence iff I had not steyed for some men quhilk Capitane Ogiluy is sending heir from the north. I will assur zour Lordship I haue not gottin as zit aboue tuell men be vertew off the rollis, for I haue reserved that to the last rume, and speciall my awin landis. Thairfor, I pray zour Lordship, lett ws haue our awin shyr of Angous, and let no complement be so powerfull as to persuad zour Lordship to quyt this shyr; for iff the other colonellis thocht it not verie mutch worth they would not requyst for itt. I haue send ane boy off my awin to bring bak zour Lordship's ansuer, and he will await vpon zour Lordship's lasour, iff ane day or mor, iff zour Lordship be bussied. My hairtlic deutie rememberit, I rest, zour Lordship's affectionat freind and humbill servand,

J. L. OGILUY.

I will desyr zour Lordship to wret to me quhat number of men zour Lordship hes send to Germanie, and how many ar imbarked in Seotland presentlie, and how many men zour Lordship heiris that my Lord off Spynie hes send away.

To my verie noble Lord, the Erle off Nithisdail.

88. The SAME to the SAME.

Kinnell, 15 Agust [1627].

MY VERIE NOBLE LORD,—I haue send my consing, Capitane George Ogiluy, and George Ogiluy, his lieutenant, to be acquainted with zour Lordship, and to mak offer of thair humbill serviee. The lieutenant hes bein ane soldier in Holand tua zeiris, and I houp the capitane salbe verie eapabill and weilwilled, and they haue broght with them thrieseor sevin soldiers. I am eertane they ar the ablest and pretiest men that zour Lordship resaued from any of zour capitanes as zit, and I desyr that zour Lordship wold send ane speciall gentillman to vew thir men and sie them resaued, and I houp efter he hes sein them, zour Lordship wilbe weill pleased with his report of them. Thair is of this number a clachoeher, ane Irishman, borne of good parantage, quha pleyes verie weill, and I know zour Lordship will not loue him the worse that he is off zour awin religion. I pray zour Lordship eause ws him weill, and if ze think it neecessar that he stey with zow for ane eertane tyme, qwhill his capitane be reddie to tak voyage to Germanie, he will be reddie to serve zour Lordship; vtherwayes he will attend his capitane. Also ther is ane of them called Willam Porter, quha pleyes exeellentlie vpon the recorder, and will be ane fyne pifferer to this eompenie. Thairfor, I will desyr zour Lordship to eause by ane fyne piffer of brase to him in Edinburgh presently, and iff zour Lordship will giue him ane sut of eloches, off any eoullour, he wilbe verie weill humoured. Bot it is my oppinion to let him go in this ship, for he wes ane pressed man. Also thair is ane of them quha pleyes weill vpon the wirgenelis; his naime is George Gario. I haue some mor volenter soldieris quha eould not come presentlie, quhairoff ane is ane ressonable fyne drumer, and ane verie prettie man; he will be in Bruntiland this weik at fardest. Iff with the scriver to the eompenie, called James Ramsey, quha is ane prettie zoung man, and ane good notter, I think zour Lordship will do weill to eause by ane drume presentlie

in Edinburgh, and cause haue it in reddines ; for the drummer, Daudid Makkie, wilbe this weik at zour Lordship. And becaus sundries off thir soldieris ar gentillmen, and many off them verie good fallowes, I will, thairfor, requyst zour Lordship that they get good enterteinment in the ship ; and aboue all thingis haue ane cair that the ship quhairin they ar transported haue munitione in her ; and iff ye can baue occasion to send thir men in compenie with ane vther ship off my Lord Spynie's, ze will do verie weill. Thair was ane prettie soldier appertening to zour [Lordship] in the paroch of Killemur, (quhais naime I forzet to remember to zow in my last letter,) quha was apprehend be Capitane Beton on Thursday, the nynt day of Agust, thairfor I pray zour Lordship mak sute lykwayes for him, and cause chairge for him. His name is James Wase, in Killemur. Becaus the showes ar scant in Germanie, and sundrie of thir men ar not weill provyded of showes, thairfor if zour Lordship think good it war not amise to cause giue them some so sone as may be. Lykwayes they want hattis, and some of them wantis shirttis, quhilk could not be had heir vpon suddentie. I think the ten suddtis off apperrell, restand be William Dikis wyff, will serve to mont them all, and thairfor I haue send hir awin tiked, quhair be schoe restis awand so many sutes off clothes, and thair restis awand aught sarkis be thais quha furnished them. I rem[em]ber my hairtlie dcutie, and restis,

Zour Lordship's affectionat freind, reddie to serve zow,

J. L. OGILUY.

The zounge goodman of Tarrie, called James Balfour, my kinsman, wold go to Germanie with Capitane Ogiluy iff he war prefered to ensinze to Capitane Ogiluye's compenie ; and Thomas Meinzes, quha sould haue furnished to the Capitane 40 soldieris, hes not givin fyftein or thairby, so seing he hes not performed condition, I think he sould not haue the place be vertew of that paction, and I will assur zour Lordship, James Balfour of Tarrie is the prettier man and ane excelled horsman ; so iff zour Lordship wold tak the maitter vpon zour selff, and giue the ensinzeis place to James Balfour, becaus that Thomas Menzes has not performed promeis in giving the men, ze wold in my judgment mak ane good choyse ; and iff zour Lordship will giue him that preferment, with directione to go in this ship to Germanie, he will wntertak the voyage, and the Capitane wilbe content ze place him.

I think it fitting that the Lieutenant go with this ship to Germanie, bot he is loth to go so sone, becaus that he hes not maid apperrell, and hes not takin leue of his freindis, and hes not prepaired monney for his woyage. Bot I think zour Lordship may supplie this bussines, be giving him fyftein or tuentie pices in advancement of his pey, and then, I think, he can not refus to go, if ze desyr him, for it is now most necessar that he be thair to draw vp his capitane's compenie, and to exerceis them. The Capitane will giue zow the roll of the 67 men send to zour Lordship.

To my verie noble Lord the Erle off Nithisdail.

89. The SAME to the SAME.

Brichensbrig, 16 Agust [1627].

MY VERIE NOBLE LORD,—I haue send to zour Lordship the berer heiroff, called James Ramsey, scriver to Capitane Ogiluye's compenic. He is ane gentillman, and can dischairge his dewtie in the place quhairwnto Capitane Ogiluy hes preferred him, for he has bein ane notter ane long tyme. I will entreat zour Lordship accept kyndlie off him, and cause entertein him weill, for I will assur zowr Lordship, vpon my word, he is ane manlie and ane pretie man, and hes givin pruiiff thairroff. He hes broght with him one called Dauid Makke, quha can tuk the drum, as I wret in my last letter to zowr Lordship. But non off thair naines war insert in the roll quhilk I send to zowr Lordship. Nather war John Carnegy nor John Gordon insert thairintill, quhilk tua men I send to zowr Lordship with my last letter, of the dait the 16 of Agust, quhilk was wrettin ane day efter the Capitane and his soldieris pairted from Bolla-shone and Kinnell. I haue caused alreddie proclame the proclamatioun at the corses of Forfar, Dundie, Couper, Arbroth, Montrose, Killemuer, and hes wrettin to all the justices off pace and ministeris to quhom the enrolling off the iydill and maisterles men war committed, desyring them not to suffer any capitane or thair offiseris, (except such as hes warrand from zowr Lordship,) to tak or apprehend any off the iydill men within thair paroches, and hes also wrettin to the ministeris to send to me the rollis alreddie maid, with aduertement how many of them ar alreddie apprehended, and quhen they war

takin. Bot if zowr [Lordship] wold be pleised to send heir all the rollis that ar givin in, ze wold forder zowr bussines, for ze send bot few of them befor to me. Lykwayes zowr Lordship wold do weill to send tua or thrie messingeris off airmes throch all the shyr off Angus, chargeing all the justices off pace to quhom the enrolling is entrusted, and the ministeris, and chieff heriteris in each paroch, to giue vp the rollis. I haue send to zowr Lordship the naimes off justices and the paroches that war committed to them for enrolling the iydll men, and zowr Lordship will do weill to cause wrett in Edinburgh ane number of copeis to chairge them, for it wilbe souner done in Edinburgh, having so many wretter[s] in Edinburgh, nor itt can be expaid heir in Angus. Lykwayes, zowr Lordship wold do weill to cause wrett ane grit number off copies to chairge all the speciall heritoris to concur and giue vp the rollis, and lykwyes to chairge the ministeres; for seing both heritoris, justices off pace, and ministeris hes entres in the enrolling, it war best they were all chairged, that they pretend no ignorance.—I rest,

Zowr Lordship's affectiona[t] freind and servand,

J. L. OGILUY.

To my verie noble Lord, the Erle off Nithisdail.

90. The SAME to the SAME.

Edinburgh, the last of Agust 1627.

MY VERIE NOBLE LORD,—It will pleis zowr Lordship send this letter enclosed to Lochinvar with all the convenient dilligence ze may, for I haue wrettin exceiding ernestlie to him to giue my cousing, Capitane Ogiluy, all the men that he can spair furth off his landis and quhair he hes commandiment, ather be the rollis or such as can be induced to come voluntarlie. And I haue wrettin to him that zowr Lordship will presentlie send ane gentillman to him to resauc them, and to stey with him quhill they be conveined, quhairinto I haue requysted him to vse all the haist he can. Thairfor I will entreat zowr Lordship most ernestlie to send ane gentillman to zoung Lochinvar with this letter, togither with some lynes wrettin be zowr Lordship, requystring him to giue my cousing for zowr Lordship's service such men as ar inrolled or may

be inrolled in his boundis and jurisdictione, with such volonteris as may be had, and to delyver them, with ane roll off thair naines, to zowr Lordship's servand quhom ze send to resauue them. I will requyst zowr Lordship to be earnest with him, ffor I heir that auld Lochinvar is in England, bot I haue not perfyt assurance that he is thair; zit I haue only wrettin to his sone, for his father gaue him directione in my presenee to be cairfull to send me ane resonable good number off men. I haue wrettin to him to send some folkis to convoy the men quhilk he sendis to Edinburgh; bot I think itt wilbe verie requisit that zowr Lordship do not lippin thair convoy altogether to his pipill, for it wilbe requisit that some off zowr pipill be with them to convoy them, seing they duell neir thairby. I pray zowr Lordship wse all the haist heirin that possibilly ze may, and send the proclamatioun to Lochinvar with zowr servand that goes to him, to the effect that thairby he may haue ane warrand for the making off his rollis, iff he hes not maid the rollis alreddie. So he mak presentlie the rollis, and within tuentie four houres thairefter he may apprehend the men. Alwayes, I think it absolutlie best that zowr Lordship's servand that goes to him stey with him wnto the tyme that all the men be apprehended and gathered together, for his thairbeing will procur the gritter expeditione, and desyr zowr Lordship's servand to wrett ane roll of thair naines, quhilkis he resauues. I pray zowr Lordship giue Lieutenant Ogiluy his letteris to Germanie to the quartermaster, and wrett to Sergeant Zoung lykwayes to be cairfull to assemble Capitane Ogiluy's men togither, and to exerceis them in militarie dissipling everie day, and wrett to him particularly to that effect that he intermit not one day without exerceis.—I rest,

Zour Lordship's affectionat servand,

J. L. OGILUY.

To my verie noble Lord, the Erle off Nithisdail.

91. JAMES EIGHTH LORD OGILVY, afterwards Earl of Airlie, to ROBERT
FIRST EARL OF NITHSDALE.

Innerkeithing, 2 September 1627.

MY VERIE NOBLE LORD,—Thir lynes ar to acquent zour Lordship that Alexander Coupland, somtyme of Didoch, being fied soldier to go to Germanie

with Capitane Ogiluy, and having resaued at the leist mor nor fortie pundis of the Capitan's monneyes, forby ane monnethe's interteinment in the toun of Abberdein, did come to Bruntiland zisternight, and thair, befor that Lieutenant Ogiluy came to Bruntiland, the said Alexander Coupland not only hes dissimulatlie absented him from imbarcking and going in this ship, bot also hes seduced ane prettie zoung man, his awin sone, called William Coupland, and ane vther called Patrik Mowet, his sone in law ; quhilk tua lykwayes hes resaued the Capitane's monneyes sundrie tymes in gritt aboundance, as sall be notabillie qualifeid ; as also the Capitane hes givin to the said William Coupland, sone to the said Alexander Coupland, ane new sute off reid apperrell, and, morover, the Capitane hes takin ane zoung sone off the said Alexander Couplandis to be his page, quha is presently in my houss, and he hes givin ane sute off clothes in the Capitane's awin lifrey. Nevertheles the said Alexander Coupland hes not only thifted him selff from the Capitane, bot hes seduced his eldest sone and his sone in law ; and, as I suspect, he resolves, (thinking that my cousing is gone northe, for he keiped fair quarteris quhill the Capitane crossed the ferrie this day to Fyff,) to fie him selff and his tua sones to some of the Erle off Mortone's capitanes ; for the said Alexander Coupland the last zeir was waged soldier to Capitane Annand, ane of Makky his capitanes, and tuik all advantage off him, evin wnto the last randewoues, and then he thifted him selff, and was obscur quhill that regiment was gone, and ondoubtedlie he intendis zit to desauie the thrid capitane, iff he be suffered to be so insolent. Thairfor, seing the said thrie men ar my cousingis waged soldieris, and hes beine mor costlie to him nor any off his soldieris, (be resone that they are gentillmen, and hes bein all this zeir constantlie entertained at his table in Abberdeine, forby the monneyes that they haue many tymes resaued from him,) he resolves now not to suffer him selff to be abused in such ane lurd maner, but resolves to seise vpon them all thrie, for they ar presentlie ather in Leith or Edinburgh. Thairfor, seing my cousing hes absolut right to them, and hes good resone vpon his pairt, I will requyst zour [Lordship] to let him haue zour best assistance to apprehend them, and to assist him to transport them to the ship. I wil assur zour Lordship, iff ze happin to speik to the said Alexander Coupland, ze will at first think him ane verie discreit and weill advysed gentillman, bot I will assur zour Lordship his good qualiteis

ar tyed to his wrong syd. So seing this consernes my cousingis creddeit, I luik zour Lordship will fauour me to giue directione to six or sevin off zour Lordship's servandis that ar prettie men, to assist my cousing to apprehend them ; for it wilbe cleired befor zour Lordship that they ar his waged soldieris at ane deir rait, and also hes resaued thair ordiner interteinment from him in Abbertein this long tyme as said. It wilbe verie requisit that the Capitane keip him selff quyit, and cause some of his folkis try quhair thais men ar, and be sure of them, and then immediatlie apprehend them and put them in ship boord, and let no requyst prevaill in the contrar ; for altho the tua zounge men ar not the authores and inuenteris off this wrong, zit if they be set at libertie efter they be catched, itt will be worse finding them agen in the north.—I rest

Zour Lordship's humbill servand,

J. L. OGILVY.

To my verie noble Lord, the Erle off Nithisdail.

92. SIR GEORGE HAMILTON, [third son of Claud Lord Paisley ?] to

ROBERT FIRST EARL OF NITHSDALE.

23th Junij 1627.

MY HONOURABLE GOOD LORDE,—By this occacion I thought fit to acquaint zour Lordship of the Lord Deputy's willing condiscendence to all my requests for souldiours vnto zour Lordship. I haue warrant to presse as I desired, but the rumour thereof is soe divulged that the greatest parte of all that may be pressed are gone vpon their keeping, soe that, notwithstanding my warrant, I shall haue enough to doe, as I think ; soe shall alsoe Sir Alexander Hammilton. But I shall leaue nothing vndone, and, by God's grace, by thee 8th or 10th of the next moneth, I shalbee at zour Lordship. I presume vpon soe longe stay, because Sir Alexander Hammilton told mee he had zour Lordship's licence till the 15th of July to search for his men ; but if I can bee sooner ready then the 8th, there shalbee no stay on my parte. This beeing all for the present, with tender of my best respects and wishes to your Lordship and honourable lady, I rest, your Lordship's to doe zow service,

G Hamilton

To the right honorable my very good Lorde, the Earle off Nithisdale—these.

93. The SAME to the SAME.

28th Junij 1627.

RYCHT HONOURABLE MY VERY GOOD LORDE,—I receaued your letteris with those of the Councell's, but I had obtayned warrant for pressing boates from my Lord Deputy before these came. My Lord, I haue byn hithertoo as carefull and diligent in levying of men as any man could bee ; but as I wrote lately vnto your Lordship, the newis of my warrant to presse beeing divulged, hath made all the idle and suspected people to goe vpon their keeping, and, which is worse, I haue within these two dayes contracted such an extraordinary fit of sicknes as I never felt the like. It keepes mee bed fast as yet, but I hope to recover, though in the meanetyme it greeues mee much that it onely impedes the prosecution of my effaires about these souldiours ; soe that, in regard of the shortnes of the tyme of your Lordship's intended stay, I am in great feare to come farre short of my intenciones, and your Lordship's expectations. But yet, my Lord, there is no man in my case shall doe more than I shall doe, to furnish out these men, if my freends will doe their endeavour. But if my sicknes doe continew, and my freends cannot come speed, then must both your Lordship and I haue patience at such inevitable inconvenience. And this is all I can write for the present ; only I wish to vnderstand, if your Lordship find occasioun of sending hither, how long it wilbee before your Lordship departe.—Your Lordship's ever to doe yow service, according to his power,

G. HAMMILTON.

To the right honourable my very good Lorde, the Earle of Nithisdale—these.

94. The SAME to [the SAME].

7th July 1627.

RIGHT HONORABLE,—By my seucrall lettres from tyme to tyme since my comming over, I did acquaint your Lordship of the difficultyes I found in levying men here, notwithstanding my warrant to presse. Amongst which difficultyes my late sicknes, whereof I also acquainted your Lordship, was, and

is, the greatest, for it hath disabled mee both to continue my accustomed panestaking, as also now to retourne to Scotland for doeing of my other weighty effaires. Since I did recover a litle, I haue gathered some fourty, all of them, except one or two, voluntaries ; and hearing by Edward Maxwell that your Lordship was firmly resolved to stay no longer vpon any man then the tenth of this month, I haue thought good to send these few, rather than none, vnto your Lordship. But if I had had a fourtenight's longer tyme, I would haue looked for more strength of body, and many more men, and brought them ouer with mee. And if, happily, Mr. Maxwell's affirmacioun of your Lordship's dyet of departing hath byn amisse, and that yet your Lordship is to stay for some 20 dayes or a month, in which tyme a boy would haue tyme to come bak and adverteis mee, I am in good hope, yea, almost assured to gett anew ; for my greatest hinderances beeing the divulging of my warrant to presse, and my owne sicknes, the one made all run vpon their keeping to deserts, the other disabled me to follow them with spies and other diligence. Now, when they expect the last are gone that will goe hence, and that your Lordship is away, these that were in deserts will come home to the doores, and I shall, God willing, be able to deale with them. But I referre to your Lordship's consideracioun, though, indeed, if I had not gott this alarum of your Lordship's waygoeing, I was mynded to made bold, with a fourtenight's longer stay, vpon conceipts that your Lordship would haue staide so long, and vpon great hopes that in that space I could haue done much good. My Lord, as it is, I protest to God I could doe no more, nor, I thinck, could any other man in my case done soe much as I haue from the beginning. And soe, till I heare from your Lordship, or of your Lordship, I wish yow much happines, and kisse your handis.

Your Lordship's assured to doe yow service,

G. HAMMILTON.

[Address wanting.]

95. The SAME to the SAME.

Kealdybeg, 20th August 1627.

RIGHT HONORABLE,—If I had byn certane that your Lordship would haue staide thus long, I could haue compleeted my number and aboue, for I had good occaciouns after the sending away of the last company, but I did cer-

tanely think your Lordship was gone, and was in feare that that last company should hardly come in tyme. If your Lordship's now lettres had come vnto my hands sooner then they did,—the berar beeing staide by continuall vnseasonable weather,—I had done much against the day of your rendezvous, or shortly, after that, but now, though I had the men, they could hardly be transported against the last of this month, this beeing the 20th. I am given to vnderstand that your Lordship will, after your owne departing, leave some one appoynted for bringing of more men after yow. If soe bee, then doe but acquaint mee of the longest day that may be granted, and, God willing, I shall against it answer your Lordship's expectacioun, your Lordship causing the men bee ressaued off my hand and charge when I send them to Edinburcht. I would gladly further your Lordship in what I can, and if my sicknes had not impeded, I looked to haue done all that was expected, and yet if tyme be granted, I am in good hope to prosecute my first intenciones to the full. If it shall fall out otherwise, I protest it shalbee no want of either will or diligence in him that will ever proue your Lordship's most affectionat servitour,

G. HAMMILTON.

I hope, my Lord, yow will cause Sir James Bailye to pay that money I haue his note off. I haue assigned it over to William Dick for payment of some bonds in some of which Sir James himself was bound for mee at London.

To the right honorable my very good Lorde, the Earle of Nithsdale—these.

96. ROBERT ELLIOT of Reidheuch to ROBERT FIRST EARL OF NITHSDALE.

Flaskhome, 24 of Junij 1627.

RIGHT NOBILL LORD,—Haveing the occasioun of this trwstie bearer, hes maid bold to remember zour Lordship with these few lyneis, in regaird I have all this tyme expected adwertisement from zour Lordship, for transporting my men, quhilk I have had this longe tyme in reddines. I dowt nocht bot zour Lordship knois it is both trobill and chairgis to have thaim lying on my hand. Thairfoir, I intreit zour Lordship to lat me have zour mynd quhat cours I sall tak with the men, and withall that zour Lordship wald send sum

moneyis to defray thair chairgis to the ousltler wyfeis, with whom thai have thair intertainment. So expecting zour Lordship's ansuer, quhat I sall luik for,—I rest, zour Lordship's obedient serwant, and still sall remain,

ROBERT ELLAT of Reidheuch.

To the right nobill and most singoollar guid Lord,
the Earle of Nithisdail, ar thes.

97. J. BORTHWIK to [ROBERT FIRST EARL OF NITHSDALE].

Hambourg, this 15 Julij, 1627.

MY NOBLE LORD,—At my landeing heir after a very prosperous journey of four dayes, that the men might bee lan[ded], and becaus of his Majestie's resolution to put our men in companies, and for want of officiers in chief, I thought it fitt to preuent these inconueniences, to addresse my self to my Lord Ambasadour, who hes already bene with the King in yowr honour's behalf, and that his Majestie might know your honour was no les carefull then the other colonels to send such officiers as they haue done; as lykewayes to hinder any such persons as your honour can not so well displace againe after possession. As my self, I haue taken wpon mee the commandement of these men, seeing yowr honour did referre the conduct of yowr honour's busines to my care, as I wilbee answerable, and yowr honour's other busines not the worse, seconded by my Lord Ambasadour for the honour I haue resaued. What other officiers by the King's command, and my Lord Ambasadour's counsel are placed by the gouuournour, I resauie none but wpon those termes, that without any grudge they shall freely go from their charge, either when I shall resauie a warrand from yowr honour's hand at any other capten's comeing, or els at your honour's owne arriual. At what tyme yowr honour shall resauie such a particular satisfaction as yowr honour may rest without fear till I sie either yowr honour or Sir Alexander Straichan. The Chancellour, my Lord, hes made so sure a promise of your generall patent, that hee desyred mee to wret to yowr honour that it is all ready signed, and so soone hee can possibly hee shall deliuer it in my custody till yowr honour's comeing, which will auoyde no small difference.



at your arriuell. And, my Lord, to make yowr honour the welcomer, I wish it could stand with yowr honour's conueinency to bee here before my Lord Spiney, for causes of state; and tho' yowr honour haue not your regiment compleat, leaue rather the Lieutenant Colonell or Sir Thomas Kellie, or some of those yowr honour confides most in, to bring wp the reare. This by way of counsail and secret, reserue, I beseech your honour, to yowr self. We are to morrow to muster and resaue a month's pay, and after to march: the victuals the maister wold not in any caice meddle with all to carry bake, because hee knew not when hee might go for Scotland, beeing now for Norway. I directed the quarter maister to make the best vse of them for yowr honour. The ennemy is come downe very strong, where wpon his Majestie most make vse of ws in other strenths, and take out old soldiers. My Lord Ambassadour lakes no good will to do yowr honour seruice. Zour honour's presence will giue yow further assurance. My lady remembers her seruice, and lookes wpon my promeis for her naigge. For God's sake, my Lord, haist your comeing, and rest secure of your seruant's care in your absence, who hes no greater ambition then to confirme that good opinion yowr honour hes alredy conceaued, and that I may witnes by my humble respects the constant resolution I haue made to continew.

My Lord, the Lord Ambassadour dois earnestly entreat your honour to refresh the King's memory with new letteris from the King of Great Britaine, for it is very necessary, and haist your honour once more, I beseech yowr honour, your honour's most obliged and most affectionat seruant,

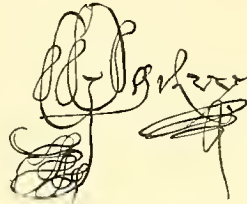
J. BORTHWIK.

98. CAPTAIN GEORGE OGILVY, cousin to Lord Ogilvy, to ROBERT FIRST
EARL OF NITHSDALE.

Aberdeine, 17 Julij 1627.

MY WERIE NOBILL LORD,—Heiring thair is ane schip reddie at Leith for transporting of soiouris, and that thay quha cumis first will be first served, I have, thairfor, maid all the expeditione I could, and have send twentie nyne soiouris be sea from Aberdeine, to be delyverit to any of zour Lordship's servantis zour Lordship pleiss direct to ressaue thame. And becaus I have bot feu keiperis

avating on thame, thairfor I will earnestlie requeist zour Lordship to caus schip thame in all heast leist thay run away. I have send the roll of the names with the berer, to be delyverit to zour Lordship. I am hairtlie sorie I am not so reddie as zour Lordship wisses, bot I sall stryve to be reddie with the first of any commander in zour Lordship's regiment. I remember my werie hairtlie deutie, and restis, zour Lordship's servant,



To my werie nobill Lord, the Erle off Nithisdail.

99. The SAME to the SAME.

From Kilmenie in ffyff, this Thuirsday, August [1627].

MY WERIE NOBILL LORD,—I am cumming to Brunteland with sum thrie scoir soiouris. And becaus thay are ane number of prettie fellouis, and ar werie strong, and hes bred me werie gryt fasherie in keiping thame; thairfor I will earnestlie requeist zour Lordship to send sum of zour Lordships servantis to ressave thame from me, that thay may be schippit in als gryt heast as possible can be. I remember my werie hairtlie deutie, and restis,

Zour Lordship's servant,

G. OGILVY.

To my werie nobill Lord the Erle off Nithisdail.

100. JAMES GALBRETH, Quarter-Master at Geluckstadt, to ROBERT FIRST EARL OF NITHSDALE.

From Geluckstat, the 6 of August 1627.

RIGHT HONORABLE,—I receaued your last letters with Jhone Draybruch, his ship, and theruith 216 men. The mariners and sojoures complaines that they war so bad prouidet, that if the wind had anie wayes contraried, they had bene

in great daunger of famishinge. So that what I cane learne your Lordship is altogether deceaued be the prouiders of your shipes. Your honoure's compaignies ar mustired accordinge to your desir, 200 stronge, the last tuo was Captaine Suifte's, 120 vearie good men and weill clothed, the other was mustired under Leutenant Cambell, whoe caries the name of captaine till his captaine come, which I did for esheuing of straungers. Yet some I am forcet to admitt, in respect of the ignorance of the officers, yet so that I haue their hand writt to render up their places at your honoure's comminge. The enimie is upon the frontiers of this land, and readie to fall in, so that the wholl land is in armes readie to geue them battell : what the issue wilbe is in God's hand. The enimie past the riuier at a sconce, besid Boysinbruch, 7 Duit[c]h mil aboue Hambrugh, which fort was maintained be 4 compaignies of Scotsmen, whoc (althought their officers was most absent) behaued them selues so that they beat the enimie thrice aff with great losse. At lenth, seinge the enimie till haue crost the riuier, that their was noe houp of retrait, they flunge their cannon in the riuier and maid a braue retrait. In the fight was slaine Leutenant James Mairtin ; and ane other leutenant, Captaine Lermont, is shott in [the] thigh and the bone broke that he cane hardlie escape ; sojoures was some threttie, lost. This peece of service hath gotten our nation great honour by the Kinge in so much that when Captaine Leslie's compaignie marched through Crimpe, (whair the Kinge is for the present,) when some did laugh at our men becaus they ware bad apparelled, he sayed it is noe matter, they haue good heartes, and clothes ar easier helpet as of a couardlie heart to make a couragious of. I spoke the Chauncelour the day befor the dait heirof, whoe gaue order to draue up your honour's patent of Generall, which I thought to haue sent with this ship, but the haistines of quartiringe of our people hindert it, housomeuer it shalbe done in the best forme, and I shall kepe it besides me till your honoure's hither comminge, which I wisse to be first befor the arriuell of anie other colonel, so longe as the Kinge standes so affectionat to our nation, and particularlie to your honour, for so manie as your honoure's sojoures ar, may equall the best in Duitchland. The Kinge will haue none to passe mustir that ar to younge or to ould. The bleue clothes did grace this last compaignie vearie much. I haue noe moir for this present, but onlie my prayers to accompaignie your honoure's good desinges. With my seruice to Sir Thomas Kellie, to whom

I would haue written, but I was [to] goe to the Kinge in haist for orders. So God protect your honour and youres.

Your honoure's most humble and obedient seruant,

J. GALBRETH.

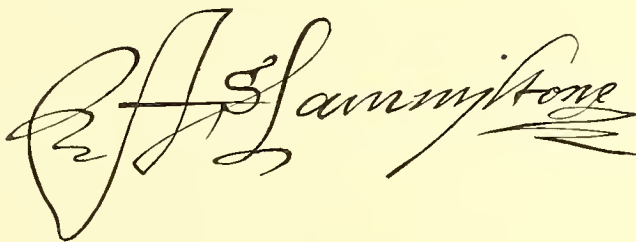
To the right honorable and my vearie much honored Lord, my Lord the Earl of Nithsdail, Generall of His Majestie's Scots forces, in His Majestie of Denmarcke's seruice, Edinburgh.

101. SIR FREDERICK HAMILTON [fourth son of Claud Lord Paisley?] to
ROBERT FIRST EARL OF NITHSDALE.

Banguill, the last of Agust 1627.

MY WARY NOBILL LORD,—I haue stayit heir far by my expectatione. Quhairfor I most humblie intreit your honour to haist back this my seruant to me agane, that I may cum over my saielfe to your Lordship with my full nomber. Your Lordship's seruant, Jone Maxuell, delyver to me ane hundrithe merkis starling, bot I sould haue had 3 thousand merkis Scotis. Quhairfor, my gud Lord, as iver I may serue yow, cause haist ouer the rest of it to me, that I may prevent boithe schame and dishonour amongis thir pepill quhair I ame. Thaire restis ane hundrithe lib. starling. Quhairfor let it be at me, and so sone as it cumis to me, I sall be at your Lordship within sax dayis after his arrivall heir. I haue gifing seurty for that your Lordship sent to me, to Jone Maxuell; and quhat seurtie your Lordship wull haue of my fathar and me yowr Lordship sall haue it, for this now most be sent to me. My gud Lord oneis agane remimber one my protectione,—sue I rest,

Yours Lordship's loving cusing to serue yow,



To my wary nobill Lord and Generall, the Yrle of Nidsdaiell—thes.

102. JOHN SIXTH LORD HERRIES to ROBERT FIRST EARL OF NITHSDALE.

Kirkgunzian, this Sunday the 7 of October 1627.

MY VERIE NOBLE GOOD LORD,—Before I receiued yowr Lordship's letter, I had directed Thomas Maxwell of Logane to yowr Lordship particularly informed. And now again, by thir few lynes, lett itt please yowr Lordship know, when I was castt outt of my houses be the Lard of Drumlanrike, I remoued, frome my house of Teregils, yowr Lordship's chartore kist, and hes nott returned the same as yitt, where itt remaines in securitie. My good Lord, I desyre itt may please yowr Lordship, before yowr going outt of the countrie, to receiue yowr chartore kist, and lett me haue ane sufficient dischargde therof, that heirefter I be no wayes troubled therefore, nor yowr Lordship any more fashed in seiking outt of yowr letters. This I hope yowr Lordship will find good, and I intreate again itt may be done, because yowr Lordship is to goe outt of the countrie, and those letters nott fitting to be any langer in my hand now becomé seikly, and burdins and troubles coming vpon me and my estate, which heirefter I feare inable me to find ane securitie ether for them or my own. So, leauing this matter to yowr Lordship's consideratione,—I rest,

Your Lordship's own to serue yow,

To my verie noble good Lord, the Earle of Nidsdale,—these.

103. KATHERINE DUCHESS-DOWAGER OF LENNOX, widow of Esme third Duke of LENNOX, to ROBERT FIRST EARL OF NITHSDALE [*circa* 1627].

MY LORDE,—I haue preseumed to sende your Lordeship the resones why we desseire to haue James' pention canged to the Courte of Wardes. Ther bee many other wich, for breuity sake, I leue to trubebell your Lordship with ; nor

will I prese your Lordship to be erneste for my sone, for your many fauores haue allredy giuen mee a sufitiant assuranse that ther will not bee anny thinge wantinge on your parte to further his goode ; and I dare promise for him that he will neuer be forgetfull of them. If his Majesty will not at all be persuaded to it, then if hi will sine the warrante I haue sente your Lordship for the Exehequor, wi will trye what it will dou. It tis such a on as mine wase for the Courte of Wardes, and I thinke as it should be. I confes I hauc no grete fayth in anny goode from that plase, but if ther be no remedy wee must make a verteu of nessessity. Noue, my Lorde, let me a littell more trubell you with the remembranse of my partiquare sute, wich is that I may haue the mannagcin of my sone's esstate bing accountabell to the Lordes. I assure my sellfe in reson I may bee as well trusted as a sorie saruant, and sure for fathefullnes I shoulde be preferred afore anny, wich if I may not obetane, yet I shall in sume sorte be satisfied in that my conscience shall not aques me that I haue lefte anny thinge ondone on my parte that moute dou his sone good or honnor for home. I only desier to liue. Nou my Lorde, not to transende to much in wexehinge your patiansce with my longe and tedious diseourse, I will for this time end in the assuranse that I shall for euer remane, my Lorde, your most faithefulle frinde and seruant,

To the right honnourable and my noble freind, the Earle of Nithisdail, giue thess.

104. SIR JOHN MAXWELL of Pollok to ROBERT FIRST EARL OF NITHSDALE
[circa 1627].

RICHT HONOURABILL CHEIFFE,—I hauc resauet your Lordship's letter the twentie sevint of February at night, and according to your Lordship's desyre the next day following I sent my servand Alexander to Glasgow, and boght your Lordship's wyne. I went to the Mairneis the morrow efter the buying of the

wyne and conveyed your Lordship's tennentis, desyring thame in your Lordship's name to send out also many horse as wald cairie the same to Crawford-Johne, bot they refuissit be ressounne it wes the thronge tyme of thair labour. I desyrit thame to pay ther restis of thair twa formmer yeires rentis, bot thair ansuer wes they could not haue moneyes for any thinge warre to sell, for wictuall heir geives noe pryse. Thair hors cannot be poyndit this seassounne of the yeir, but how sowne thair ky is able to travell, (iff they will not pay pleasantlie,) I sall cause poynd thame, I meane soe many of thame as is responsible. I haue likweyes resauet your Lordship's warrand for taking wp of the rentis. Your Lordship sall resaue from my servand Alexander ane note of the pryses of the wyne and cairiag thair of, for I am forcit to fie cairieres to bring it to Carlaverrocke, and be Godes grace I sall pay all that concernes that wyne of the first of the remanintis of the rentis that is heir. I thoct good to acquaint your Lordship that heir they are taking strike ordoure concerneing that generall band that goes throughe the kingdome, and values meneis estatis to the full, and your Lordship's amongst the rest. Soe that I wald intreat your Lordship to advertise me quhat is your mynd heirin, for all the gentillmen heir goes on in subscribeing the band, soe that I am affrayde that iff your Lordship or I goe not on with the rest of the schyre, they will take some moir extraordinar course with it. Expecting your Lordship's ansuere with the beirer, I sall continew your Lordship's coosen and servand,

JHON MAXVELL of Nether Pollok, Knycht.

For the richt honourabill and my werie goode lorde ande cheiff, the Earle of Nithisdail—Thais.

105. ROBERT FIRST EARL OF NITHISDALE to WILLIAM SEVENTH EARL OF MENTEITH, Lord President of the Council of Scotland [*circa* 1627].

MY SPECIALL GOOD LORD,—A trubilsome sute which I have long followed with small suces as yeet, doeth force my attendance heer, which movis mee out of the confidence I have of yeur freendship to intreat yew will be pleased to move his Majestie in sum particulers which conserne his border service with sum few others that conserne my selfe. The mater being sie far from giving iust caus of exseption to anye, I am confident my desyers sall be granted with small difficultie. Housoever, I sall be alweyis reddie for yeur pains to returne

the best expression of what I have heertofore professed. Your Lordship will be pleased to resave the particulars as follouis :—

At the tyme when the Earls of Bukeleug, Annandaill, and I did first wndertaik the service, King James was att the charge of mantening a guard, which stood him in betuixt 2 and 3 thousands pounds sterling a yeer ; yeet was the service soe much abused, as 20 severall stouthis being stolne from my poor tennents in one monthe, after having declared the names of such as war the stealers to such as war trusted in the service for the tyme, noe redres, ather by taking hold of the stealers, or giving redres to my poor folks, could be had. This was the caus indused me att first to ingage my selfe. The Counsell finding the service was lyke to be better done by us, they thocht itt did a lytle reflect wpon tham whoe had putt the King to so long and soe great neadles charge, and withall finding thar oun freinds barred of soe much benefitt, they having preferred such as had trust in the service of before, they studied by all means to cros the Earls above named and me in discharge of what we had wnderdene, as yew mey persave by these letters, which King James, whoe knew the estait of the cuntrie from his chyldehed, did send att severall tyme wnto thame, which did sie reull the Counsell as from that tyme to the sorrowfull death of King James the service was done with small difficultie. Now doe they follow the sam strain they did of before, in giving all the discouragement lyis in tham to me whemupon the burding of that service haith still beene, for what caus your Lordship knoeth weall anughe.

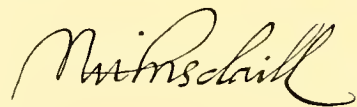
Al my desyer is, his Majestie will be pleased, in a fair letter to the Counsell, to renue what his father did of before, whoe both knew his Counsell, and better then they, what was best for the border service, without challenging what is past, for I doe nocht desyer farther dispuitt, which if his Majestie will doe, with a lytle help to what is done on the Englishe syde, for better correspondence amangs ws, his service may be done without chargis to him, for the which I will be ansuarable, and the letter sall be drauin wp in that forme as the Counsell sall have noe caus to tack exseption. Houther this be needful or nocht, lett the Counsell's dealing with the Earle of Angus of laitt beer testimonie ; and withall, bee reason of the death and absence of the moist part of such as war subcommissioners wpon the west border, I doe desyer tuo or thre to be ioyned the names wherof I sall give in.

2. Sir Johne Chartarus of Amisfeeld being one of the subcommissioners, and having att all tymes tene great pains in that service, he had one of his servands slain by tuo thivis of the name of Wrwing. The said servand named Chartarus being about to have tene one of the said Wrwings for thifts he had committed, after the slaughter of the said Chartarus, Sir Johne Chartarus having prosecutt the laus agenst the Wrwings, and they being maid fugitivis for nocht compering, he gatt ane commission to apprehend the said Wrwings. Sir Johne eused his best means to have tham ; and itt soe fell out thees Wrwings was maid sure to him a small wey within England, wher Sir Johne finding tham, and they refusing to be tene, after they had eused all defence by shutting of hagbuts and pistols, with other defencesis, it so fell out as the saids Wrwings war both slane ; at the which slaughter sum of the English syde teuk sum exsepsions, wherof Sir Johne thoght great winder, the lyke having beene done of before by the English wpon the Scots syde by slaughter of Kirstie Armstrong, called of Barnglase. My humble sute is, considering the greatt pains and good service done by the said Sir Johne, that his Majestie will be pleased to secure Sir Johne, and such as war at the said slaughter, from denger when they sall have occasion to cum to England.

3. Tuiching myselte, I desyer a letter mey be wretting to the Session, with ane to the Advocatt, declaring it is the King's pleasor that noe acsion be prosecut agenst me, att his instance, till his farther direcsion sall be givin tharin ; and for acsions betuixt me and anie other I crave itt nocht, for great preiudice mey cum to me by reasons I am at the horne for the present for civill debts.

4. I desyer ane rispett, or att least ane remission, to my freend Johne Maxwell, for a slaghtor committed sum tuentic years agoe, he having resavitt severall rispets from King James, yeet wnexpyered, and having committed the said slaughter wpon meer acsidence, as by severall testimonies mey apeer.

Your Lordship's to serve yew,



To the ryght honorable the Earle of Monteith, Lord Precedent of the Counsell of Scotland.

106. MARSHAL TILLIERES to ROBERT FIRST EARL OF NITHSDALE.

Ce 21 Decembre 1628.

MONSIEUR,—Je mis la letre qui m'a este rendue par le Sieur Ouatsson de vostre part entre les mains de Monseigneur le Cardinal de Richelieu, lequel la leue avec attention, et y respont, comme il l'a jugé à propos. Je donne aussy en mains propres dudit Sieur Ouatsson la responsse aux memoirs qu'il a aportés, et luy ay diet quelques discours sur le subieet, qui vous raportera, eomme doit à mon auis vn homme de bien et d'honneur, tellement qui ne me reste autre chose à vous dire tant en responsse de vos letres du 23 Nouembre que sur les propositions de Monsieur Ouatsson, sinon que Monseigneur le Cardinal de Richelieu a pris en bonne part le contenu de vostre letre, qu'il estime vostre perssonne, cognoist vostre merite, et est bien informe de vos bonnes intentions vers la France. Pour moy, j'en ay trop de preuus pour en doubter. J'espere et souhete auee pation [passion] que les fassies valoir dans la conionetione presente des affers puis que nous metant à la rayson. Il y va du bien de l'Angleterre de vostre gloire et honneur que je prie à Dieu vous aeroistre de jour en jour dauantaige, et vous enuoyer autant de bon heur que vous en souhete.

Monsieur, vostre tres humble seruiteur,

Tillieres.

A Monsieur, Monsieur le Conte de Neisdel.

107. CARDINAL RICHELIEU to ROBERT FIRST EARL OF NITHSDALE.

De Paris, ee 29^e Decembre 1628.

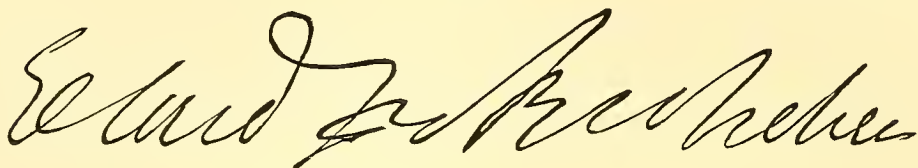
MONSIEUR,—J'ay receu la lettre qu'il vous a pleu m'écrire, et veu le bon desir que vous auez pour l'vnion des deux courones, je vous puis asseurer que

ie seray tousiours tres aise d'y correspondre, comme en general a tout ce qui concernera le bien public.

J'honore la personne du Roy vostre Maistre ainsy que ie le doy, et qu'il le peult desirer, sa qualite, son merite, et la liaison qui est entre le Roy et luy m'y obligent estroittement. Ces considerations vous feront croire, ie m'asseure, que si quelq'un tasche de luy persuader le contraire, ce sera sans fondement.

Je vous supplie de la croire, et que ie suis,

Monsieur, vostre tres affectionne seruiteur,



A Monsieur, Monsieur le Comte de Neisdell.

108. MARSHAL TILLIERES to ROBERT FIRST EARL OF NITHSDALE.

Ce 11 Feuirier 1629.

MONSIEUR,—C'est à mon grand regret que je sy long temps retenu Monsieur Ouatsson. Il a solícité son retour avec affection, et moy je le procure avec soin, l'éloignement du roy la retarde sy long temps. La rayne mere me commande, et Monsieur le Marquis Deffiat, auquel Monsieur le Cardinal auoit reffere ceste affaire en son absensse, fust d'auis que je despeschasse vers luy le Sieur du Moulin, qui en a raporté les responses que ledit Sieur Ouatsson vous porte. Je ne plains pas son retardment, puis qu'ils sont tels q'un esprit juste et intelligent, comme le vostre, pouuoit esperer et desirer, et doiuent satisfaire tous ceux par della qui auront part dans ceste affaire, et temoigneront à tout le monde les bonnes intentions de sa Majeste, la cordiale affection de la rayne sa mere vers la rayne d'Angletere, et la sincerite de Monsieur le Cardinal et des autres ministres de cest estat. Je me promets que ceux du vostre les segonderont, et que m'honores de la qualite, Monsieur, de vostre tres humble seruiteur,

TILLIERES.

A Monsieur, Monsieur le Comte de Neisdell, a Londres.

109. ROBERT FIRST EARL OF NITHSDALE to MARSHAL TILLIERES.—Copy.

King Streitt, Februaire the 27, 1629.

MY NOBLE LORD,—How carfullie I have followed this matter, may be witnessed by these I have had adoe with heer. That the success haith bene noe better, the blame must lye wpon the Cardinall and such others as haith bene trusted on that syde, who sheuld nocht have maid me an actor, if they had nocht intenditt to have bene satisfied with my first advyse, which I dar avoue sall be fond to have bene faithfullie bestoued. Bot now last to have putt such a commentar upon what was in hand, as haith maid mee wnder the sencur of follie or wnhonestie, was a bad recompance for my goodwill. The bearer can relaitt the particulers att more lenthe, and your Lordship sall doe me favor in acquainting the Cardinall that I sall wishe his affairs in thes kynd may rather be trusted to sum other heerafter then toe your Lordship's faithfull servand,

NITHSDAILL.

The copy of the last letter to Count de Tilliars.

110. SIR JOHN MAXWELL OF POLLOK to ROBERT FIRST EARL OF NITHSDALE.

Netherpollok, the 4 of Agwst 1629.

MY VERIE HONORABILL GOOD LORD AND LOVING CHEIF,—I receivit yowr Lordship's letter acquainting me that yowr Lordship is chairgit at the instance of the aires of Deame Dobbie namit Masie Veirc, for the payment of sax thowsand merkis. As I remember yowr Lordship hes given assignatiowne to ane terme of Orcknay. The assignatiowne is given to my Lord Naper, or to his brother, qwhilk of thair namis I doe not remember, bot the terme is not cwm that it should be payit at. Zowr Lordship showld have payit the anwell rent in the meane tyme. This assignatiowne, and all the rest, is registrat in ane booke, quhilk book was delyverit to Johne, yowr Lordship's brother; and my Lord of Wintowne hes the dowble of them all. As for anie other notis that I have, they war verie oft alterit, so that we did not trwst them, bot only in the register book, and my Lord of Wintownis dowbles. I have given the bearer the best informatiowne I can, and give yowr laweiris think it neidfwll, they will gait ane

sight of my Lord of Wintownis dowbles. I think it war weill doone that yowr Lordship wold writ to Marcheistowne yowr self. Zour Lordship writis to me that yowr Lordship receivit ane letter from me anent the bloek of my superioritie. Zour Lordship shawis me that yea intend not to pairt with the sam at sic meane reat as I offer, and give yowr Lordship doe, I shall chalange yow for wnkindnes, give yowr [Lordship] gate not mwtehe more. Trewlie, my Lord, I think I have offerit more then it is worthe, and yowr Lordship hes never given me ane los, nor aeqwentit me withe yowr Lordship's mynd in that parti-cwlar quhat yowr Lordship wold have from me for it. I have bothe made yowr Lordship ane partiewlar offer, and offerit to doe by the sight of indifferant freindis, and this I hope evrie man will think is resowne wpon my pairt. I pray yowr Lordship wse me kyndlie, and remember of my service done to yowr Lordship, bothe be my self and my predicessouris, and remember quhat distres I and they hes had for yowr Lordship and yowr howse. Remember lykewyse, my Lord, that I and myne is Maxwellis, and will be reddie to serve yowr Lordship heirefter, bot give anie other bwy it, and they pay yowr Lordship for it, they will think they have no more to doe with yowr Lordship. Hoping yowr Lordship will advyse quhat is yowr Lordship's honowre and credit, and the weilfaire of yowr Lordship's howse; and thaireftir will give me ane good answer, as I shall be willing and reddie to serve yowr Lordship heirefter.—I rest, zowr Lordship's servand at power to be commandit,

JHONE MAXWELL of Nether Pollok, Knyt.

To my verie honorabill good Lord and loving Cheif, the Earle of Nithisdalle,—thes.

111. SIR RICHARD MURRAY of Cockpool, Baronet, to ROBERT FIRST
EARL OF NITHSDALE.

St. Martins in the Feildis, 27 September 1629.

MY HONORABILL GOOD LORD,—As touching this bissines betuixt my Lord Herreis, the Mr., and me, for the bargan of his whole landis in Annandal, I have fullie considerit of the same, and doe earnestlie intreat that your honour wilbe pleased in my behalff to offer to my Lord for the landis the Laird Jonstone makis claime to by reasone of ane lait allegit bargane betuixt him and my Lord

Herreis : That if it will please his Lordship and his sone the Mr. to geve way vnto me, and to recall Johestone's bargan, I will mak him elcir fyve thowsand mark moir nor Johnstone hathe aggreit withe him for, rather or I mise of my intentione ; bot this I refer to your cair and kyndnes to stryk what stroke your Lordship in honor and conscienc shall think fit ; bot in the meintyme his Lordship must be intreated that he will affoord ws all laughefull meanes at the showeing of the contract for provyding remedie for reduceing of that first bargan. And as concerning his Lordship's escheit and lyffrent, I doc humble intreat your Lordship wilbe pleased to pas your honouris wourd that, if his Lordship will yeild to the former conditiones, he shall not onlie have that frilie, resingned to him, bot I will also deale withe him for his lands of Hoddome, touching wiche I shalbe ryddie to submit my self vnto suche ressonable conditiones as your Lordship, or any vther indifferent freind, in honour and conscience can demand of me : And in the meintyme, at or before this nixt terme, I will tak of him all these creditoris efter mentionat :—To wit, my Lord Annandal, Mr. Adinstone, Mr. Whytffoorde, Stevin Lovrie, and Harbert Maxwell, whose sowmes will amovnt, as I am informed, above thrie scoir j^m mark ; and as for the overplus of his moneyis, I hoip his Lordship will geve me ressonable dayis vpon good securitie. So this is the maine heidis of the bissines, for wiche I am your Lordship's suitter to deale betuixt his Lordship and me, and that your Lordship, withe all the possible speid may be, will report bak to me what I may louk for, that I may have sumtyme to prepair my freinds against the terme, for taking vp the moneyis. And so, in sum haist, expecting your Lordship's spidie anser to him who shall still indevoir to shove him self to the vttermost of his habilities,

Youris honouris most obleidgit and affectionat freind to serv you,

A handwritten signature in dark ink, appearing to read 'Robert Murray'. The signature is written in a cursive, somewhat stylized hand, with a large initial 'R' and a long, sweeping underline.

To the Right Honourabill and my verie good Lord, the Earle of Nydisdale, at his lodging at Hamtone Court,—these.

112. ROBERT FIRST EARL OF NITHSDALE to Mr. SCOTT, in Holborn, London.

Kingstoun, October the 14, 1629.

WIRTHIE FREIND,—I fand the Thesaurer according to my hart's desyer, with assurenee als much as can cum from ane honest man of reall dealing in all tyme cuming. What mistakings haith passed must be forgott, to the which the Ambassator doeth willingle agrie, whoe, to give his aune deue, is one of the moist accomplished men that ever I spoek with, which givis testimonie of the Cardinal's wirth in making choyse of sue[h]e a man. I did relaitt everie particular as we maid the note, and resavitt much contentment, as I have shoune to the Ambassator. I am confident att thar first meating all sall be confermed with a greater friedome than the Thesaurer haith eused heirtofore. He haith suorne deaplie the earnest desyre he haith to be in the Cardinal's good opinion, and sall live nothing wndone that mey settile love and freindship betuixt his maister and the King of France; and partieuler wherinto he can be stedable to the Cardinall, he sall noeht be wanting with his best endeours, for he dothe reallie honor his wirthe. You mey intreat anent the cullurs, for in that thair's noe order givin to the Ambassator Edmonts. For the tocher I think he haith order to seutt the sam. The Ambassator maks noe dout in ather of bothe; and ad your best endevors, thocht we haue small encouragement from this syde. I have tould the Ambassator that I mynd to goe home shortlie, efter I haue once broght the Thesarer and him togithe[r], I thocht he wald gladlie I should stey, bot I tould him my oune affairs forsed me. He inquyered when I wald returne; I ansuered, wpon direction from the Cardinall, or aduertisement ather from him selfe, or from yow, I should be reddie to doe all the service in my pouer, which I did acknolege my selfe tyed toe. Withall I gave thanks for yow. I should hartlie wishe yow should once more returne with contentment in thir matters, wherby they having such testimonis of our dealing; they may be ashamed of thair dealing with us. I desyered the bearer to acquent yow with sum particulars of my oune. The Thesaurer haith promised his best endevors anent what yow wrett, and wald alege he had and hes desyer to that freindship, which in his part sall lack nothing touart the intertainment thairof, as I have tould alradie. I besieh yow, if yow doe noeht

returme shortlic, lett me hear from yow, that I mey be glad to hear of your weallfair, and if thar be anie thing can give farther testimonie of respect to the Cardinall; or if their be anie thing to be desyered from this place, I will doe my best to fasilitatt the matter, or sall att least give my opinion what mey be expected. Present my service to the Cardinall, with assurence thar is none more reallie his then your freind and servant,

NITHSDAILL.

I besich yow, remember my service to wirthe Count d'Tilliars, whom I hope the Cardinall will recompance: for me I haue beine in pain with small thanks on this side. What will cum hereafter, I know nocht.

To my wirthie freind Mr. Scott, at Mr. Whytis hous in Holborne.

113. The SAME to [the SAME].—Copy.

Londra, li 19 d'Ottobre, 1629.

AMICO MIO FEDELISSIMO,—La differenza del galeone di Torras composta, l'Ambasciadore et il Thesauriero sono gia reconciliati di nuouo con protestationi mutuali di scordarsi del passato e per l'auenire di procedere con affetto e syncerità reale. Il Thesauriero m'ha giurato di non uoler mancare per la parte sua con l'oltime sue forze di procurar tutti li mezzi possibili per tratenere la buona corrispondenza tra le due corone assicurandomi quanto può un huomo da bene che honori grandamente il Cardinale e desideri scruirlo, con chi secondo che parlassimo ui priega di trattare per quei ensegni come per una cosa, laquale non si tratta per il Ambasciadore Edmonds; se bene per la dote ha commissione ancor lui. Il Cardinale e troppo sauo e ben affectionato alla pace di non rimandarui presto con contento. Per le cose di Canada non si metti subito in colera poiche essendo gia fatta questa reconciliatione non dubito che al nostro ritorno si farà la restitutione come anco del tutto ehe dopò la pace sia stato preso. Vi priego dal cielo un uiaggio felice, restando sempre,

Di vostra Signoria, amico constantissimo,

NITHSDAILL.

La copia della lettera di Nithesdaill al Scoto.

114. ROBERT FIRST EARL OF NITHSDALE to CARDINAL [RICHELIEU].

Londra, li 19 d'Ottobre, 1629.

ILLUSTRISSIMO E REUERENDISSIMO SIGNORE,—Hauendo riceuuto le lettere di questo buono Padre d'alcune differenze e difficultade, alla conclusione del negotio, tanto tempo per noi trattato, sono uenuto a Londra, e finalmente piu per la prudenza del lor Ambasciadore, che per la diligenza nostra sono superate tutte, quanto alle circostanze particolare. La priego d'intenderle per il latore chi non dirà cosa laqual io non confirmerò. Partirò presto per Scotia, promittendo però d'essere sempre apparecchiato di trouarmi alla corte quando del mio seruigio hauerà di bisogno, perche lo tengo per un honore principale d'essere stimato, di vostra Signoria illustrissima e reuerendissima, Humilissimo e fedelissimo seruitore,

NITHESDAILL.

La copia della lettera del Nithesdaill al Cardinale.

115. RICHARD LORD WESTON, afterwards Earl of Portland, to ROBERT FIRST EARL OF NITHSDALE.

March 1st 1630.

MY VERY GOOD LORD,—I desire your Lordship to impute it to the multiplicity of my businesse, not to want of respect and affection, that I haue replied no soone[r] to your Lordship's letter of the first of December. But now hauing this little leasure and the opportunity of this bearer, Sir Richard Graham, I haue thought good to giue your Lordship thanks for your letter, and the kind affliction which your Lordship therein expresses towards mee. I assure your Lordship I feele a great want of your deceased freind and mine, and am very sensible of his losse. I should be glad, after so long absence, to see your Lordship here againe. In the meane time, your Lordship may be pleased to vnderstand that your Irish businesse is in handling before the Commissioners for that kingdome, wherein I will not be wanting to giue my best assistance for the procuring of your Lordship's content and satisfaction, as one that shall euer remaine,—Your Lordship's most humble seruant,

To the right honorable my verie good Lord,
the Earle of Niddesdale,—these.



116. ROBERT FIRST EARL OF NITHSDALE to [MR. SCOTT].

From my chalmer in King's Streitt, the 19 of March 1630.

[WOR]THIE FREIND,—I must agene earnestlie desyer yow will [be s]peik the Ambassador, as I tould you, and deall with [him], that as he haith shounne him selfe a wyse man . . . hertile, that he wald behaue him selfe soe as he [mey] mack a fair retreit; seing I assure yow thar [is] nothing moir desyered wpon his part; whom the Ambassador seams to mistrust without caus; and [let] him consider what should be thocht of him if anie [ru]b should be procured be his cariage in that freindship between our maisters, soe much wished for be all that love thame. For the mater of Canada he will get contentment for that which [is] in the pouer of the Counsell of England; and for Sir William Alexander's part, I know thar is means eused be the man he fears that the King mey giue satisfaction leykweyis; and I hope itt sall prevaill. Lett him, as I spoke, behaue him selfe kyndlie to the man I tauuld, for I assure you he is mistene. I persave thar is ryche gifts prepared for him, bothe from the King and Quein, at his perting, which I sall desyer mey be to his honir, which I question nothing if he be nocht the hinder him selfe. So, this expecting yow will not fail, I rest, your freind to serve yow,

NITHISDAILL.

117. RICHARD GRAHAM, Carlisle, to ROBERT FIRST EARL OF NITHSDALE.

Carlile, this 9th Aprill 1630.

MY VERY GOOD LORD,—This inclosed will showe yow the effectts of our proceedings at Carlile, and the name of such as are deliuered at the Skotte Dycke the 13th of this instant, and are to be tryed at Jeddert the 20th of Aprill. I had hoped your Lordship would haue haistned hither to haue finished the worke yow began, which I assure yow would haue giuen such assistance to this othir as might haue rooted out thiftt from theise borders. Yow may doe well yet to follow it, and to haisten before my [Lord] Monteith come vp, who, as I heare, intends it sudainly. Your Ladie is well, and expects your company

heare ; soe doth he euerie day that kisses your Lordship's handis, and remaines, your faithfull seruant,

RICHARD GRAHAM.

To the right honorable the Earle of Niddisdale, this deliuer.

118. JOHN LORD, afterwards EARL OF TRAQUAIR to ROBERT FIRST
EARL OF NITHSDALE.

Edinburgh, 26 July [*circa* 1630].

MY NOBLE LORD,—I am glade of your Lordship's saef and happie returne to this part of the world. I am at this present busyed about our compts ; but if your Lordship's uther affaires will permit yow to appoynt any place quhair we may meit efter the rysing of the Session, I sall gladlie wait upon your Lordship quhair and quhen ze will appoynt me. I haue laitly resaued a letter from his Majestie direct to the Commissionars of the Borders. I conceaue it to be anent thes differences in the conceptione of the last conjunct commission. But in this nor nothing may contene that busines, I will resolve anything untill I hear from your Lordship ; efter quhie I sall be ready to resolve quhat yow sall find fittinge to command your Lordshipe's faithfull frend and servand,

Graham

For the Right Honourable my noble Lord, my Lord the Earle of Nithisdail.

119. WALTER FIRST EARL OF BUCCLEUCH to ROBERT FIRST EARL OF NITHSDALE.

Edinboure, 27 Agust 1630.

MY LORD,—I haue spokin with your frind Adam Cunninghame, who sayes to me he is to sye you sehortlie. This is the ansuere I haue given hym, that you vood consider vpon sume vay for my satisfacione, ather by presentt moneys att this terme, or for a good securitie by catione to be payett for to intromeit

vithe only off your lands. You vill excuse me, for I am resolvett to tak vp no man's rents bot my awin : So, attending your resolutiones by ryt vpon this, I rest,

Your seruiteur,

Barrclough

To my verry honorable good Lord, the Erle off Nithisdaille.

120. THE MARQUIS OF CHATEAUNEUF to ROBERT FIRST EARL OF NITHSDALE.

A Arbj, ce xxiiij Maj 1630.

MONSIEUR,—J'aj receu tant de bons offices de vous estant en Angleterre, que je ne puis rencontrer aucune occasion sans vous en tesmoigner les ressentimens que j'en aj et vous en remercier tres humblement. Ce porteur est si instruit des affaires de deçà, et l'en retourne si satisfait de son voiage, que ceux qui l'ont enuoïé croiront à l'aduenir que je suis aussj bon Anglois que François ; et je vous assureraj que je ne cede à aucun Anglois en fidelité et affection enuers le Roy, vostre Maistre, de qui je seraj toute ma vie tres humble seruiteur. Je voudrois volontiers que me fissiez l'honneur de me commander quelque chose de deçà pour vostre service, et je vous tesmoignerois combien je suis, Monsieur, vostre tres humble et tres obeissant seruiteur,

CHATEAUNEUF.

Monsieur, Monsieur le Comte de Nithsidel.

121. CARDINAL RICHELIEU to ROBERT FIRST EARL OF NITHSDALE.

De Remilly, en Sauoie, ce 29 May 1630.

MONSIEUR,—Aiant veu par la lettre qu'il vous a pleu m'escire le desir que vous auez de l'establisement d'une parfaite amitie entre les deux couronnes, je

ne puis que ie ne loue en cela vostre zelle, et vous asseure par mesme moien que ie contribueray tousiours a ceste fin tout ce que me sera possible. Vous en prendrez, s'il vous plaist, la creance, comme aussy qu'il ne s'offrira aucune occasion de vous tesmoigner l'estime que ie fais de vostre personne que vous ne cognoissiez que ie suis, Monsieur, vostre plus affectionne seruiteur,

LE CARD. DE RICHELIEU.

A Monsieur, Monsieur le Comte de Nithisdail.

122. ROBERT FIRST EARL OF NITHSDALE TO CARDINAL RICHELIEU.

[*circa* 1630.]—Copy.

RYGHT HONORABLE,—After conference with this bearer, sent be yow, I did clearlie sie how much reconsiliation betuixt the King my maister and your King did import to Christendome at this present, and finding your earnest desyer tharof, thoc I must confes nothing the moir wnwillinglie, that I did apprehend his Holines wald tack itt for noe bad service to him, I was hartalie willing to have mett ather with your honour, or Count de Tiliars, wher I sheuld have been carefull to have advysed yow of the fittest way that, in my opinion, ane peace being offered be yow myght have been interteaned heer.

Bott now, hearing my maister iss possessed with such hard impressions of your cariage touart him, in your preising to wrest matters to his dishoner, yea, I must say, in sum caceis which I think hardlie could have proseditt from a man of your wirth, I dar nocht presem soe much wpon his goodnes as be my cuming to France to hasard the imputasion which be calumnie may bee laid upon his honer.

For what I wald haue done was mearlie out of the zeall which I carie bothe to the good of my King and the King of France, as I consave itt, onlie of my selfe without warrand att all.

I have spent a great tyme aboutt Court, and being a lytle acquainted with my maister's disposition, bee having the honor at sum tymes to confer with him, I ever fond that reason being frelie spok, itt resavitt alweyis a gratius hearing. This gaue mee incuragement, that, finding your disposition, as I was maid belive, I sheuld have a fair occasion to speik frilie with all respect to

your King, that myght prosid from a loyall subiect to my maister, in vitnes wherof I have heer sent yow my frienlie advyse, being confident that my affection to your King, with the respect which I carie to your selfe, sall nocht be a means of my ruine, which if this should be knouin, culd hardlie eschape.

Mack noe deley, for the Spanziard is a pourfull man; send one over with warrand to inqueyer hother if my maister doeth inclyne to peace.

The Protestens in France must have contentment be my maister's means, according to the agriment maid when yow moved my maister to engege him selfe for your maister to tham.

Medle nocht att all with placesing or displassing anie doeth belong to the Queen's hous, for my maister will nocht be afflicted as he haith alradie been.

Consider that the King my maister's frienship is much moir stedable to yow then yours can be to him, for we can assuredlie harme yow bee sea, which yow can hardlie doe to us ather bee sea or land. Yow have the reputasion of a wyse prelatt, and I was a witnes yow war a speciall instrument that the dochter of France cam to this kingdome. Be now a good means of reconsilia-tion, which out of question sall breid securatie to your King, with much honer to your selfe, and contem nocht this advyse, least itt breid repenta[n]ce heer-after. Your Lordship will be pleased to mack the best construction of what I have said, for it doeth prosid from him whoe sall be alweyis, in soe far as his allegence will allow, your Lordship's humble servant,

NITHISDAILL.

A Monseigneur, Monsigneur le Cardinall de Richeliew.—Wera copia.

123. The SAME to the SAME.—[circa 1630.]—Copy.

MY MOIST NOBLE LORD,—Since matters ar cummitt to a conclusion which I have longe wished for, and all posabilitie of hinder queytt removed, wherof this bearer is directed to give the full assurence, I must mack offer of my poor service as due to your Lordship being the means by whom soe much happines sall wndoutedlie cum to bothe our Kings. I remitt the moir particuler relasion to the suffisiencie of the good father who carieth the testimonie of an honest

man by all those whoe have had hand in this matter, and sall never leue of at all occasions I have to give testimonie of.

Your Lordship's moist faithfull servant,

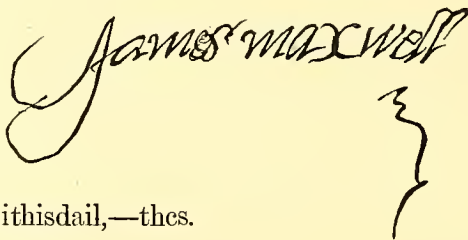
NITHSDAILL.

A Monseigneur, Monseigneur le Cardinall de Richelieu.—Uera copia.

124. JAMES MAXWELL of Kirkhouse, afterwards Earl of Dirleton, to ROBERT FIRST EARL OF NITHSDALE.

Edinburgh, the 20 day of May 1631.

RICHE HONNORABELL,—Your Lordship des remember that I was often a sutter in the fauors of Sir Jhone Maxwell of Conheth, that ye would haue bin plesed to haue receued him in your fauore, which your Lordship wald not be moued to, for suche honorable respeckts as was knowen to your selfe. Bot now hopinge that ye haue trayed his innocencei in the accidente committed be his sone : Therfor, be thir presenttis, I doe renew my former suit, werie ernstly intrettinge your Lordship that ze wald be pleased to resceue and exepte of him as ane frind and member commit of your hous, of whoes loyall seruis your desesed brother hes had longe proufe : This hopinge for your fauore hirin, as I schall be moste willinge to serue your Lordship in anny thinge lyes in my poure. Sue, leauing this to your honner's wyis consideration, I tack my leaue, and euer schall remajne, your honnmor's faithfull seruante,



To the righte honorable the Earle of Nithisdail,—thes.

125. RICHARD BOYLE, FIRST EARL OF CORK, to ROBERT FIRST EARL OF NITHSDALE.

Dublyn, the 20th of November 1631.

RIGHT HONOURABLE MY SINGULER GOOD LORD,—I haue had the honour to

receaue your lettres, as also the comandment of the Lord High Treasurer of England, concerning a proposieion ayming at his Majestie's profit and your own, wherein the Lord Chaneellour and myself haue made a return expressing our opinions in that affaire, which I desire may bring forth such effects as may answeerr your Lordship's noble hopes, although vpon conference with seuerall officers and clearkes of his Majestie's Court of Exchequer, I cannot yett discover any thing that may giue you any great comfort of benefitt in this prosecution. But I am confident your Lordship did not engage yourself therein without good grounds, and that such persons as put the same into your hands haue matter to discover that will bring wnto your Lordship the fruits of your suite, which I shalbe very glad of, and shalbe most willing to employ my vttermost endeavours in this, or in anything else wherein I may bee vsefull to receiue your comands and doe you service, being the more obliged therevnto by the affinitie that is between your noble Countess and my poor children, whose deceased mother was allied vnto her Ladyship, to whome, as to your Lordship (though vnknowne), I desire my humble service may bee tendred and aaccepted of,—ever remayning the servant of your comands,

To the right honourable my singuler good Lord, the Earle of Nythesdale, att Court, give these.

126. ROBERT FIRST EARL OF NITHSDALE to [CARDINAL RICHELIEU].

Londrais, Julet le 8, 1632.

MONSEIGNEUR,—La raison que iusques à presant i' estoy si silent, n'est pas proueneue de manque de bonevolonte de continuer le service, que je vous ay bien souvent protesté, mais plustost a faute d'un fidel porteur. Ayant à present trouvé vn, lequel pour sa profession merite qu'on luy adioust foy, ie

vous le mande pour vous assurer que, selon la petitesse de mon pouvoir, il n'a person qui taschera plus de contribuer a tout ce que vous touchent que moy, ayant desia assurance suffisante de la affection que vous aves a mon maistre, encore que il ne manque pas de malveillants, qui pour leur interest particulier interpretent nos actions autrement que nous ne merites. Ainsi, Monseigneur, de peur que vous ne m'estimes pas muable, qui est fort esloingne de ma pensées, ie vous envoie cest homme, lequell vous dira la reste, et vous assurera que ie suis, Monseigneur, vostre tres affectionne et humble serviteur,

NITHSDAILL.

127. CARDINAL DE RICHELIEU to ROBERT FIRST EARL OF NITHSDALE.

De Fontainebleau, ce 18 d'Aoust 1632.

MONSIEUR,—J'ay receu la lettre qu'il vous a pleu m'escire, comme vn tesmoignage de vostre souuenir, et de vostre affection tout ensemble en mon endroit, dont ie ne scaurois assez vous rendre graces. Je vous supplie de croire que s'il se presente quelque occasion en laquelle i'aie lieu de vous serair, ie la receuray avec un desir singulier de vous faire paroistre par effet qu'il ny a personne qui face plus d'estime de la vostre que moy, qui suis veritablement, Monsieur, vostre tres affectionné seruiteur,

LE CARD. DE RICHELIEU.

Monsieur le Comte de Nissidale.

128. ROBERT FIRST EARL OF NITHSDALE to [CARDINAL RICHELIEU.]

Edenborghe, Desembre la 10, 1632.

MONSEIGNEUR,—Je vous remercy de la bonne souvenance que vous aves de moy, et de la continuation de vostre affection et bien vueillance en mon endroit, sans aucun de mes merites; le plus du tout que me console, c'est que vous tasches tousiours de conserver l'amitie entres le Roy et mon maistre, de quoy i'ay eu experience bien souuent et particuliere-ment par la porteur de la presente; et encore que ie suis pour la pour le present

en Escosse, ie tascheray sur la moyndre connoissance que vous aues afair de mon service, d'estre prest, comme celuy qui a tousiours fait vn tel estat de vostre eminence, que m'estimeray heureux de vous tesmoigner que ie suis,— Monseigneur, vostre tres humble et fidel servitur,

NITHSDAILL.

129. SIR JOHN GORDON of Lochinvar, afterwards Viscount of Kenmure,
to ROBERT FIRST EARL OF NITHSDALE.

Grenlau, the 24 of February 1633.

MY VERY HONORABILL LORDE,—I have harde of ane letter that Mr. Robert Morrey, minister, preferr'd unto your Lordship conteininge some calumnies against me, quhich I presume your Lordship will not denie me, that knowinge quhat I am unjustly taxed with, I may approve myself [to] my best freindes, amongst quhom I acknaledge your Lordship ane speciall, quhich amongst many uther of your Lordship's favours sall oblige me to remain,

Your Lordship's treuly affectionat freind and servaunt,



To my very honorabill Lorde, the Erle of Nithsdaill,—Thes.

130. RICHARD WESTON, EARL OF PORTLAND, to ROBERT FIRST EARL OF
NITHSDALE.

March 6, 1633.

MY VERY GOOD LORD,—I am by this my letter to make an excuse both in this bearer's behalfe, your seruant, and myne owne. For his part he hath omitted no diligence in the sollicitation of your businesse, but such hath beene my misfortune, that by reason of the indisposition of my health, which hath kept mee a prisoner in my chamber the most part of this winter, that till very lately I

could find no fitt oportunity to know his Majestyes pleasure therein. At last, I tooke occasion to mooue his Majesty concerning it, from whome I haue receaued this awnswere, that he would take it into his royall consideration; and at his returne from Newmarkett would then further declare himselfe. At which time I shalbee ready to giue you a more particular accompt thereof then now I can. In the meane time I must desire againe your Lordship to excuse mee for this long silence. And so I bid your Lordship heartily farwell.

Your Lordship's very louing freind and humble seruant,

Portland

To the right honorable my very good Lord, the Earle of Niddesdale,—These.

131. SIR THOMAS HOPE, Lord Advocate, to ROBERT FIRST EARL OF NITHSDALE.

Edinburgh, 4 February 1634.

PLEASE ZOUR LORDSHIP,—I ressaut your Lordship's of penult of January, and hes conferrit with the Erll of Annandaill thairanent, and findis him very willing to schvne all contestatioun with zour Lordship, provyding he ressave securitie. And seing the lady, zour Lordship's mother, hes anc widsett, and is in possessioun, he seis not how he can haif rycht till that widsett be renunceit, and the possessioun delyuerit to him, quhilk I wische zour Lordship sould procur, seing it standis only widsett for vij^m merkis; and zour Lordship m[ay] giff the lady, zour mother, securitie of vther landes and sum off your freindis to be bund for paymint of hir dwties. I spak the Erll anent the diamond, quho sayis to me that he hes it not, but that it wes ingadgit at Londoun be zour Lordship's earnest intreaty, to a man in Londoun for ij^c lb. sterling, for quhilk, and the anuells thairoff his landis in Ingland ar distreinzet, and quhil he pay the money, he can not haif thai diamond. Butt he will gif quhat suretie zour Lordship plessis, (sa sone as the securitie is perfyte to him,) to caus that diamond be delyuerit to zour Lordship. I delt with my

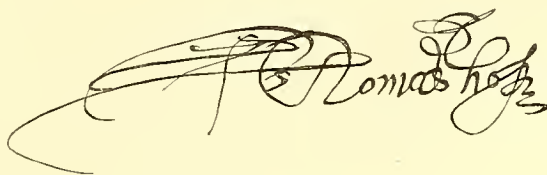
Lord to knaw if he be of mynd to dispose theis lands quhilk zour Lordship disponit to him, quho anserit that willinglie, but that he can haif none to tak tham af his handis till he gett surety from zour Lordship, and he is resolut in selling thair of to lose iiii^m merks of the pryce for present money. This is all that I can work with him, and I humblie intreit zour Lordship to remembir the auld and trew freindschip hes ben betuix zow, and latt not matteris go to any extremitie for laik of dewtie in zour Lordship's pairt, quhilk wilbe still in pyrel to faill if zour Lordship mak not theis landis freie of your mother's widsett.

As to the signator past in fauores of my Lord Jonstoun, that reservatioun your Lordship wryttis of wes vrgit, but could not be had imfixit. The signator did aggrie, word be word, to the infestments made to the Erl of Mortoun, vpon quhais resignatioun the servys procides. Butt zour Lordship is not preiudgit, for if zour Lordship haif rycht, this infestment past to the Lord Jonhstoun dois not preiudge zour Lordship.

My Lord, I am so essayit to haif zow haid with the good Erl of Annandail, that I must again humblie intreit zour Lordship to haif cair that that widsett may be purgit, and I trust efter that to kep zour Lordship and him in that mutuall respect and deutie quhilk ather of yow aucht to vtheris. And nather of yow hes samony freindis in this old world that ze haif reasoun to suffer any dissolution of that true friendship quhilk hes bene so long betuix zow. So, with my humble servuice,

I rest,

Zour Lordship's humbill and bund servitor,

A handwritten signature in dark ink, appearing to read 'Thomas Hope'. The signature is highly stylized, with a large, sweeping initial 'T' and 'H' that extend across the line. The name 'Thomas Hope' is written in a cursive hand.

Since the wryting heirow, I haif so earnestlie presset the Erl of Anandail that he hes promisit to send for Robert McBrair, and the Laird of Laig is heir, and if zour Lordship send zour Lordship's freindis ones betuix and the 13 of

Februar, I sall move a new meiting. Gif Robert McBrair come not, my Lord sall mak chose of another for him.

To the rycht nobill Erll, my Lord the Erll of Nithisdail.

132. THOMAS VISCOUNT WENTWORTH, Deputy Lieutenant of Ireland, to
ROBERT FIRST EARL OF NITHSDALE.

Dublin, this 5th of October 1635.

MY VERY GOOD LORD,—In the first place giue me leaue to congratulate with you the happy conclusion of your businesse, which willbe now neare and without clamour thrice as much profit, on my conscience, as euer the sute itt self would haue been to you, soe as I conceaue thos that aduised that way cannot be deemed other then well meaning seruants to your Lordship.

It will not be possible for you to haue your money before Candlemas terme, ther being not now one thousande poundes in the Exchequer, and besides, itt is expressly in my directions that I first dischargd the ciuil and martiall liste this halfe yeare now due at Michelmas, before I issue any to your Lordship, but if I proue not much mistaken, you may be surc to haue it then all paid you without one farthing chardge to you in this house: But how you and your greate freinde Mountnorris may agree itt in the Exchequer I know not, only my opinion is you may chance then to finde he loues his oune profit sumthing better then his freinde.

In your other tuo businesses concerning Fleeming's landes, and thos other in Connaghte, I will be very ready to doe you all iustice, and to giue you all the best and speediest dispatche I possibly can.

More I haue not to write in presentt, soe as I will detaine you noe longer then to reade this profession I make to becum,

Your Lordship's most faithfull humble seruantt,

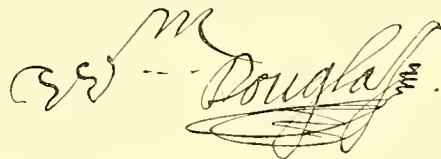


E. of Niddesdaile.

133.—WILLIAM FIRST MARQUIS OF DOUGLAS to ROBERT FIRST EARL OF
NITHSDALE.

Dowglas Castle, 3 September 1636.

MY NOBLE LORD,—I haif ressaveit the commissioun, and hes takin a double of it, and returned it with the berar. I sall subscriye and send the vther lettre to my Lord Thesaurar with a servant of my owne, and dait it the same day of our pairting at Dowglas. I expect sum sall cum to me out of Jedburgh Forrest within a day or two, and what informatioun I sall haif in any sort worthy of record, I sall send it to your Lordship, togidder with what salbe cum of our lettre to my Lord Thesaurare. I vnderstand your Lordship is to haif sum houndis out of England from Franck Grahame. I will intreat zow thairfoir to send me sum goode ones that ar fair gamestaris. Thus, with my best affectioun, I remaine, zour Lordship's faithfull frind and seruitore,



To the richt honorable my verie goode Lord, the Erle of Nithisdail.

134. A. GUTHRIE to ROBERT FIRST EARL OF NITHSDALE.

St. Gyles, the 29 of Januarie 1640.

MY LORD,—This bearer is at last dispatcht with all your Lordship requir'd, and he hade been sooner with your Lordship, but that there was no money to pay for the letters, presentation, and protection. I haue giuen a note vnder my hand for the money to be payd befor Easter, and if I could haue spar'd it, I would haue made no scruple, notwithstanding your Lordship hade write nothing to me, either concerning these businessses nor paying for them. Craiggie, his protection, is gone to Edinbrught with Mr. James Gordon. The rest I haue sent heerin inclosed. I haue spoke about your Lordship's businesse

of the Merns with my Lord Duke, and he hath not as yett made ouer his right to any, but is resolu'd to take a course with all the debts owing to him, and hath desir'd your Lordship's last resolution befor Easter terme. I did always conceaue the debt to haue been but a thousand pound; but he tells me it is about five and tuentie hundred pound. Now that your Lordship hath promis'd him, wnder your hand, to prouide the money, I belieue if ther be not some speedie course taken for it, he will wndowtedlie make it ouer to Broomhill, who wilbe sure to take the wtmost advantage he can; and I beleuiue his purpose be to purchase it for the Earle of Lainrieke, my Lord William Hammilton. And if it be possible that your Lordship can prouide the moneys, ther may be more easie termes hade of my Lord Duke nor of the others. I desir your Lordship's answeare in this businesse. The Earle of Strafford, Lord Lieutenant Generall of Irland, is not yet gone for Irland, nor to goe befor it be knowne what effect our Scotts Commissioners' eomming will produce. They are expected heer next Saterday, the 1 of Februarie. Sir Francis Hammilton hath write to your Lordship concerning your effairs in Irland, much to that purpose I write befor, and it will proue verie aduantageous to your Lordship to dispatch a letter heer with all expedition to the Lord Leiutenant about it. . . . Mr. Seeretarie Windibanke presents his seruice to your Lordship, and your greatest enemies dare not say but your Lordship hath done lyke a good and faithfull subject to his Majestie; and if the crosnesse of your Lordship's private effairs could haue dispenc'd with your Lordship's being heer at this tyme, it hade prou'd wndoubtedlie both beneficiall and honorable for yow; for I dare assure myself your Lordship could not haue desir'd that of the King in reason, which he would not haue graunted. There is nothing to be said of our Scotts effairs untill the comming of the Commissionars. As for forraigne news, this season affoords not many; onlie ther is a generall diet in Germanie for the expelling of strangers out of the Empire, and a report (not yet certaine) of the death of the King of Denmarke. The Princee Palatine is to be releas'd from Bois de Vincent, and to haue the libertie of Paris, wpon the Ambassador's the Earle of Leister's word, that he shall not depart the kingdome without licence from the French King. The Queen of Fraunce is with child, and three months gone. Signior George Conne is dead at Rome, and the news of it cam last Thursday be ane extraordinarie post. The King did take the news

verie sensible, and surlic Scotland, and the Catholicke religion in generall, haue a great losse. My Lord Keeper is dead, and Sir Jhon Finch, Lord Cheefe Justice, made Keeper, and did ryde to the Hall last Thursday in great state. The Parliament is thought to goe one wndoubtedlie, but many doubt wher it shall sitt, and it is mutter'd abroad that it shall sitt at Yorke. Ther hath been great pressing of souldiers these 10 or 12 days past, and it doth still continew. The next occasion, if your Lordship write any thing wherof yow would haue the King enformed, write it to me in a letter be itself, and I shall cause Mr. Secretarie show itt, and if your Lordship wilbe pleased to write to his Majestie to recommend your Lordship's effairs to my Lord Leiutenant of Irland, he will wndoubtedlie doe it, and I desire to haue a copie sent me of his Majestie's letter, and I shall present it, and sollicite ane answeare. Mr. Broune of Bagby is delay'd heere wpon pretence of my Lord Kirkudbright's comming hither, and if your Lordship can find out any thing to purpose against him, send it wpe wnder the hands of witnesses, and let me know what your Lordship would haue me doe in itt, and I shall doe my best to giue your Lordship a faithfull account of it. My poor wife presents her humble seruice to your Lordship, and to my verie good Ladie, and doth wish the tymes were such shee could come to kisse her Ladyship's hands. About two months hence I look shee shall cry 5 loafs a pennie. Befor Mr. Broune come away I shalbe more able to giue your Lordship account what is to be hop'd or fear'd of our Scotts effairs, and shall be cuer readie to approuc my self,

My Lord, your Lordshipp's humble seruant,



Sir James Douglass presents his seruice to your Lordship, and is in good hope your Lordship shall not haue so great reason to play your old game "Hauke home again," at your next comming to Berwick.

The letter to the late deputie must be directed thus:—To the Right Honourabill the Earl of Strafford, Lord Leiutenant Gencrall of Irland.

To the right honorable my verie good Lord, the Earle of Nithisdail.

135.—GEORGE SECOND MARQUIS OF HUNTLY to ROBERT FIRST
EARL OF NITHSDALE.

Hampton Court, 19th Julye [1640 ?]

MY NOBLE LORD,—Though the delyueryc of these to your Lordship's handes must needs be very vncertayn, in regard of what wee heare anent the beleaguering of your housse, yet I would not lett Mr. Macbrear goe without this testimonyc of best wishes in your Lordship's behalf, as lykewyse to show you that, for any thing I know, the King is noblye constant to right his owne honour, and not to neglect any man who hath in these late occasiones expressed a sincere fidelitie to his Majestie's scrvice, whiche is all that can be at suche a tyme sayd vnto you, by,

Your Lordship's affectionat and humble seruant,

Huntlye.

For the right honourable my noble Lord, the Earle of Nithisdayll,—These.

136.—LETTER relative to the Siege of the Castle of Carlaverock.

Caerlile, 15^o Augusti 1640.

MY HONORABLE LORD,—I did wryte to your Lordship this same day 7 night the trew estate off bussines in our countrie, in particular the ruine threatned vnto my Lord your vncle by the canon. Yesternight, being Wednesday, my Lord Maxwell receaved a lettre from the ryght honourabill Secretarye Vane, written as appeares by his Majestic's owne direction, whereby I perceave his Majestic in your Lordship's absence made bold to breake vp my lettre ; bott I forgive him, and your Lordship must doe the lyke. Indeed there were many pettyc passages into itt nott worthye the survey off so great a Prince ; yett, as I hope, nothing worthyc just exception. Bott as for the mayne scope off Sir Hary Vane's lettre after a long expected feast off releefe, wee found nothing

bott a dish off cold comfort, wishing my Lord Maxwell, in regard his Majestie was nott able to succour his father in tyme, to will him to take the best conditions he could for himself, which how hard itt is to be effected (although iff itt could, the dishonor, without offence be itt written, should redound more to his Majestye, nor to my Lord,) your Lordship may judge ; for although I writt so much rashlye in that letter that itt were better he tooke quarter in tyme, nor wayted the furye off a battrye, yett how to signifye his Majestie's pleasure vnto him, passes our power to devyse or compasse : for besydes that we gott no word eyther in or out, to or from him, since the first 3 dayes off there leagre, the passages are daylye more straitlye blocked vp, and there is greater danger, for any would hazard to goe in, from the shotts off the besieged nor off the bescegers, through whose quarters in a dark night although one might hazard to slip, yett he were sure to be shott from the towers and casemates vpon the rampar, so that wee can gett none will venture, vpon any tearmes, to carry a lettre, (which yett iff itt were sent and intercepted how prejudiciall itt should be both to his Majestie's honor and service, you may easilye judge,) and my Lord was coopt vp on such a suddayne in the beginning, as he had nott leysure to condescend vpon watchword, cyphers, or any manner off signall with any off his freends. Moreover, itt is most confidently to be presumed, that iff ever, by persuasion or mediation off freends without, he enter in any treatye with the enemye that they will never give him any quarter off a souldier, (vnder which I know he will never goc,) except by one and the self same treatye he oblige himself to surrender the Castle off the Treeve, as well as Carlavorock, which I know he will never doe, nor yett I think his Majestie would be pleased to way. Besydes that, (considering what a spleene they have att his persone, and how treacherouslye they have vsed vthers who have trusted to there treatyes,) I doubt iff he would ever be perswadit to capitulate with them. As also I would have your Lordship to know off his Majestie, that in cace an honorable quarter could be gotten, so that he and his ladye, freends, familye, and souldyers might come out and march away with bag and baggage, and armes in there hands, etc., yett how they shall be disposed vpon, how they shall live and be maintayned heerafter, his lands and tenants all spoyled and plundered, so that nott a penny rent, cyther for this yeare or the next, to be expected from them ; all his groen goods withowt doores, and his best frecnds with him,

robbed and taken from them lykwyse, so that they have nott so much as a horse to goe off the country vpon. And I cannott read that his Majestie hath given order for any ships to come about to fetch him and them away into. Besydes that, all that good summe off money which he had lying by him the last winter for the payment off the Lord Buckcleugh being spent in this service, I doe nott think he is this day maister of 200 lib. For all which respects, I doe perswade myself that before it should be sayd that these rebells have beate him off the countrye lyke a beggar, and that he come hecr to England vpon incertaintye, he will rather choose 10 tymes over to end his dayes vpon a breach with a pistoll or a pyke in his hand. This I doe nott wryte as being diffident off his Majestie's royall bountye, bott iff his Majestic could have bin moved to have sent him bott a litle more money in tyme nor he will be forced to bestow vpon him and his further entertainment now, together with the armes he once gave him the last yeare, he would note onely have vndertaken to secure his owne persone, all his freends and followers, and those two places, bott that whole quarter off the countrye besyds, under the perill off forfeyting lyfe, land, and honor. Bot to leave these fruitles expostulations, especially where they trench vpon higher powers; the course which my Lord Maxwell and we have concludit to follow next, both for the King's honor and service, and my Lord's creditt and safetie, is this, in respect off the foresayd difficultyes off giving him private notice off the King's will for the present; as also in respect off the great difficultye to gett the canon to there campe for the reasons shortly after following; bott cheeflye because, although this letter dasted vs, yett another from the same author to Sergeant Major Alcock did nott a litle revive vs agayne, wherby we perceave the King is vpon the way comming downe to York, and, as we hope, the next week the armye shall be vpon the march towards the frontiers, so that iff we could bott promise our selves any probable hopes off releefe, cyther by the English,—or, that which we did build our cheefe hopes vpon, the Irish armye,—betwixt and the last of this, or the 2, 3, or 4 off the next moneth, (which is this day 14 night,) wee are very confident he is able to hold out whyle then. In the meantyme, Sir John Maxwell and I have written to Sir Robert Greer, and some vther freends in the countrye, by whose mediation wee meane, in case there be any imminent danger, to broach some kynd of parlye, and vse our best cunning to trye the trew estate off matters, and tryfle out the tyme in some

triviall sort off a treatye, vntill we may gett sure notice from Court what may be expected, and then play fast or loose as wee think expedient. For yow shall vnderstand there was bott order given vpon Sunday last, by all the ministers, within the next 4 or 5 presbiteryes, out off there pulpitts, that 4 horse should be sent out off every parish to meet the canon this day, being Thursday, betwixt Edinburgh and Bigger, from whence, besydes that these late great glustes off rayne have made both the wayes and waters in a manner vnpassable, iff they can bring iron peeces off batterye betwixt Crawford John and the Sanker, and so to Drumlanrig, they may justlye brag off a greater maister peece nor hath bin done in that countrie, and that kynd of service these 100 yeares bypast. Besydes the longe toyle, trouble, and expense, to carrye munition in any quantitie, and say they were there, your Lordship knowes there is no solide ground within any distance to plant a batterye except vpon the northside, where the dungeon (2 storyes whereoff are covered with the rampar) is prooffe, off 12 or 15, iff nott off 20 pound bullett, and hath double lodgings to the boote. That which is most to be feared is, iff they make a high platforme in the wood, (which yett they cannott doe without assured losse off very many men, both from the corner towers and works vpon the rampar,) and from thence batter the long courtin betwixt the 2 towers vpon the south syde, which, being beatn downe,—a thing mightilye to be feared, by reason off the suspected vnsufficiencie off the work,—both that dainty fabrick off his new lodging would be defaced, and the inner court would lye open, bott yett all the vtter works and rampar would be safe, the parapett whereoff (as I am assured) being well fenced with a pallassade without, wes 4 or 5 feet thick att the beginning of the seege, and I beleeve since they have nott bin idle within. For these reasons, I say, my Lord, wee are resolved yett to draw matters out till the next advertisement, which we will expect with all convenient diligence. And thus having displayed all our regrats, greefes, doubts, feares, and hopes, I will end with an expostulation with your Lordship, for that this being the 5th tyme that now, since my comming from Court, I have written to your Lordship, you have never hitherto daigned (for ought wee can see) to wryte a scrape off a pen eyther to my Lord Maxwell, Sir John, or your Lordship's most affectionat servant—

[No signature or address.]

137. WILLIAM MAXWELL of Kelton to ROBERT FIRST EARL OF NITHSDALE.

Keltone, 30 Merehe 1641.

RYCHT HONORABIL LORD,—Nayther can I deelaire, nor your Lordship beleive, that extraordinier seveir course that is vsed against me, and the rest of these gentilmen in thir paitis that stuid to the serviee of the Kingis Majestie and your Lordship. For albeit that we have peyed our tenth and twentie pennie rentis, trowping horss, bagage horss, souldieris' echarges, moneyis to furnisehe thame airmes and eloathes, and lykwyse hes furnished our whole tennentis and servantis with pickis and muskattis, they now will mak vs to pay for our whole eroptis, according to thair apprysement, and our tennentis to mak payment to thame of the Witsonday and Mertingmes tearmes rentis last bypast, quhilk we have alredie resaweit; and if matteris go on according to thair myndis they intend that we sall all foirfalt at this insewing Perliament; and lykwyse they have denunceit me to the horne for these rentis that I vplifted perteing to your Lordship's eroptis, and zeiris of God 1^m vi^c and threttie awght and threttie nyne zeiris, in respect I want your Lordship's discharges to produce, and intendis presentlie to vse captione thervpon. These ar tharfoir humlie to intreit your Lordship be pleased to send me ane discharge with alse greit haiste as possiblie can be vsed, for my whole intromissiones with your Lordship's fermes and rentis, eroptis, and zeiris of God foirsaid, and lykwyse for the rent of Lytill Maynes and fisehing eropt 1^m vi^c and fortie zeiris, acknoledging that the sameyn was all peyed and depursed be me at your Lordship's command befoire the tearme of Witsonday 1640 zeiris. And I bind and obleiss my self by thir presentis, that it sall nowyse be prejudiciall to your Lordship, bott that all these rentis salbe allowed in foirend of the rekinningis betwixt your Lordship and me; and, if it be your Lordship's pleassour, efter I have produceit the discharge for my avin exoneratione, I sall delyver it bak to any freind your Lordship pleiss appoynte. Lykwyse I must intreit your Lordship be myndfull of vs, your Lordship's freindis within this stewartrie, and proeuir sum warrand frae the Kingis Majestie in our favoris, vtherwyse we wilbe alse qwyte ruitid furthe of this kingdome, as if we had never leiwed therin. For thair is no pairte in all Scotland quhair suehe severitie is vsed, bothe in eivill and eccle-

siasticall government, as within this stewartrie; and in respect that my Lord Kirkcudbright did carie himself as ane freind to protect vs all that had any relatione to your Lordship, now, since the band was produceit, quhilk he and the rest of these nobilmen subscryweit, the Puritan factione have swa combyned thame selwes in his contraire, that, for the present, he does absent himself bothe frae thair presbitries and committies, and swa, we that ar your Lordship's freindis, hes nane to kythe for vs; howbeit my Lord Kirkeubright does quhat he can to recent our wronges, bothe heir and in Edinburgh. They intend nott to allow ane sax pens or peck of meil to me for that tickat quhilk it pleised your Lordship to giue me the day ze left Carlaverock, nather to allow ane groate of your Lordship's rent to anye your Lordship's pensioneris. Bott I hoipe in Almightye God that befoire it be long, your Lordship will have pover to dispoise vpon your avin estaite and bussiness as in former tymes, and that I and vther your Lordship's freindis, sall nowyse be aschamed of that service whiche we professed for the Kingis Majestie and your Lordship: Wissing ane happie succes to all his Majestie's affaires, the honor, healthe, and happines of your Lordship, your sonne, and ladie, I humlie tak my leiwe, and ever sall continew,

Your Lordship's most humbill and obedient servant,

WILLIAM MAXWELL.

To the right honorabill and his verie guid Lord, the Earle of Nytsdaile.

138. R. SHENNAN, Steward Clerk of Kirkcudbright, to ROBERT FIRST
EARL OF NITHSDALE.

25 August 1641.

WERRY HONORABILL AND NOBLE LORD,—Pleis your Lordship, that necessitie and sore stroik resauet be me the tyme of this covenant by my lait lying out thairof, hes mowet me to represent vnto your Lordship thir fewe lynes, humble shoing that for my lying out, as I shewd your Lordship vnder pretext of lawe, I being nothing dewe, all the guidis I had wes taken except one hors, quiche thereafter wes plunderit, I being in the Threife the tyme of the seidge thairof, quiche loiss, altho great to me, hes nocht, be all appeirance, geuen these quho

ar so heid set aganes me full satisfactioun, bot also in Junij last, at thair newe electioun of ane Stewerte and Deputis of the Stewerttrie of Kirkcudbryt, intendet, as thai did quhat they could, to put me out of that office of clerk-schipe, quhiche I and my predecessouris hes had of your Lordship, and your Lordship's noble predecessouris neir thir tuo hunderethe zeris, w[i]thout, I hope, any blemische, no not so muche as to geive me ane heiring, or to mak me culpable of ane fatt, bot to satisfie thair intendit maleice, to thrust one in over my bellie in my office be the stronge hand, w[i]thout ather lawe, equitie, or quenciance, nochtwithstanding of my gift geven be your Lordship of the hole office, as the berar heirot, Williame Maxwell, can informe your Lordship, nocht onlie to my avin overthrowe, bot the overthrowe of wyfe and puir childrene. These ar thairfoir most humble to intreat your Lordship to haue some mynd to me, if any helpe or supplie can be had for these loiss sustenet in the Kingis service at your Lordship's drectioun, as lyke wyss that your Lordship wilbe pleased to sie these my vnfreindis cache no advantadge aganes me in my office, and if it wald be your Lordship's plessour to geive me ane newe gift of that office during my lyfetye, seing the other wes bot during your Lordship's plessour, it micht do me great helpe, and Williame Maxwell wald, if neid wer, caus present the samin, that no advantadge wer gottin aganes me thairin, for it is not so muche intendet aganes me, bot also aganes your Lordship, to thrust your Lordship out of the heretable office of the Stewerttrie. So ceissing to trubill your Lordship, bot requieisting your Lordship to cscuis this my boldnes, and praying to God Almichtie that your Lordship may prosper in all your Lordship's noble desinges, I humble rest, as I sall euer remane, your Lordship's humble seruand to deathe,

R. SHENNANE.

To his noble and werry honorabill Lord and Maister,
the Earle of Nithisdail,—thes.

139. Mr. WILLIAM MAXWELL, Advocate, of Springkell, to GEORGE MAXWELL of Munches.

Stirling, 6 Jun 1651.

RYCHT LOVEING COUSING,—Havcing occasion of this berrir, I could not bot acquent yow that the haill actis of classes ar dischairget, and all the noblemen

ar sitten downn in Parliament; so that my Lord may take course with the Stewartrie as he pleises, and may come in withe the rest and sitt down in Parliament. Their ar verie great exceptiones taken that non or few of our name ar heir, and that my Lord Hereis and Nithisdail absentis themselves, yea, no lesse is publiklie gevin out then that my Lord Nithisdail hes gevin out that the King's forces wilbe overthrowen, quhairat the King and all vtheris takes virie great exception. Thair is a virie halsk report also of my Lord heir of correspondence with the enemy: and yow [k]now the late proclamatioun, the consequence quhairof is no lesse then foirfaultor: thairfoir, cousing, go to my Lord, yow and Brakensyde, and delyvir this lettre, and make his Lordship to come along with yow hither, and at wer bot a stairt; for all noblemen ar almost heir except my Lord Hereise and he. Let Brakensyde, Killielung, and Cowhill sie this lettre, bot especially my Ladie, that tymouse course may be taken to obviatt all inconveniences that may aryse hence, for the dainger seims verie great; quhairof it wcs my deutie to aequent yow: also thair is ane vther proclamatioun agai[n]les remonstratoris, quhairby, except thes come in and renunce the sam, and acknowladge the King's authoritie betuixt and the 20 of Juni instant, and these that duellis fardest distant betuixt and the 1 of July, then to be lyable to the vttmost payne of law, quhilk in effect is foirfaultor. Cousing, I can say no more, bot as yow and the rest of my Lordis freindis tenderis my Lord and my Lord Hereise weell, cause them come out. The King's army consistis of 28^m ffuite, and sex thowsand horse effective, all weell trainet and expert; so that I may assuire yow materis ar liklie to goe weell. Not further, bot assuires yow I will attend heir at Stirling to doe all quhat serveices lyethe in my power, as being the deutie of

Your loveing cousing and servant,

MR. WILLIAME MAXUELL.

Give the boy kine six pence.

For my kynd and loveing cousing, George Maxuell
of Munches, and to my cousing Brakensyde.

140. ROBERT SECOND EARL OF NITHSDALE to Mr. WILLIAM MAXWELL.

Dun[cow] 30 April 1656.

MR. WILLIAM,—I find since ther wase ane ae[t]e for the uniting the stewardry of Kirkugbright to the shirefdoime of Wigton, and I find the gentlemen in that part being unsatisfied, hauing mete, they haue giuing him a pour to looke upon the registers, and my predieessours' furst gifte of the forfeatour of the Douglas, and if my right can hold water, they are willing, on ther owne expence, to prosecute it further, for my weall hear or aboue ; and for that effect hauing sente Munches, as you will find by his poure, I shall desire, as you wish my standing, and being a countrieman, to deliuer the originall wreets of the stewardry, he geuing a ticket of reecat.

Soe, Sir, this being a matter I knew not before this day, I beleue there is nothing shall be defeecient in your part to assist me, and I shall euer remain what last passed betwixt us, either to stand or fall, soe restestes,

Your real cousin,



For Mr. William Maxwell.

141. GENERAL GEORGE MONCK to [ROBERT SECOND EARL OF NITHSDALE.]

Edinburgh, 17th November 1659.

MY LORD,—I am hartely sorry to hear you haue gotten a strain in your lege. Your Lordship will perecaue by the letter that I haue sent to the shires, that that which you feared will be answered. I returne your Lordship thanks for your reall affections to me. As concerning your house, I haue not yet spoken with Commissary Rosse about it, but your Lordship may be weall assured that I

shall be verry ready to serue you in that or in any other thing that I may, and remaines,

Your Lordship's verry humble seruant,

GEORGE MONCK.

At Commissary Rosses house at Preston, neer Dunse,
in the shire of Berwicke.

142. [ROBERT SECOND EARL OF NITHSDALE] to GENERAL MONCK.

The Isle, 24th November 1659.

MAY IT PLEISE YOUR LORDSHIP,—Vnderstanding that the Commissioners of the severall counties doe make it their request that ther may be some men putt in armes for the preservatioun of the peace vpon the borderis ; and being that my health doeth not admitt me to attend your Lordship personally, (quhich is my great desyre,) yett shall not omitt my dewty, but contribute my best adviee in any thing that may tend to your Lordship's honour, and advantage and weellbeing, and peice of this poore natioun. And treuly it is the most likely way for doeing this quhen the trust of any that shall be putt in armes is committed to sober, vigilant, active men ; and, as for this countrey, whatsomever liberty your Lordship alloweth to poisture them for your owne defenee, (they being in the greatest hazard of any in Scotland, because of the garrisone of Carlyle,) I would advyse your Lordship to committ the same to Commissary Rosse, at leist that he may be one ; and for that end, that your Lordship would hasten him to this countrey ; for the treuth is no man that I know is able to doe your Lordship better service iff yow prevale with him to vndergoe the same ; for I doe verily believe he is able to doe your Lordship much more service behinde yow in Scotlande nor he can doe in England, both as to the preservatioun of the peace and hastening the peyment of the cess. Besydes that, he hath ane very great influence and interest with the people of this natioune, and will be att all ocessionis ready to expose himselfe to any hazard wherin he may assert the good of his countrey, and the observeing of your Lordship's commandis. Thus I can affirme out of experience : And out of my respectis to your Lordship, have hastened this bearer with this my

humble advice. Hopeing your Lordship will excuse my boldnesse, and accept of the same as done really from affection, and not to dryve any interest, I shall labour (God willing) to sie your Lordship at Berwick (if possible) befor your march, wher yow shall have the best advice that is within the knowledge or reach of, my Lord, your Lordship's faithfull and humble servant—

For the ryght honorabill, my Lord Generall Monck,—these humbly present.

143. COMMISSARY WILLIAM ROSS to ROBERT SECOND EARL OF NITHSDALE.

Prestone, December 16, 1659.

MAY IT PLEISE YOUR LORDSHIP,—I received yours at my returne to Prestone, and sent my Lord Generallis letter quhich your Lordship wrote to him, but I ame apprehensive the same did miscarry, or was forgott by his Lordship befor I mett with him, being he never spoke to me of the same; for quhich end I have inclosed this draught, quhich your Lordship may transcribe and returne by this bearer, and I shall be carefull of the delyvery of the same. As for newes from this, I did sie letters this day in my Lord Generall his custody, that mentiones a great ryseing in the south of England, seven counties being already in armes. Eight garrisons are declared for the Parliament. The city of London hath forced those radgementis that were within the city to retreate without thair priviledges, and have choysen ane new councill within themselfes, to ordor the militia, and consider vpon the Prenteises petitione, which is for a frie Parliament. The old Councill of State hath mett at Portsmoth, and have ishewed out commissiones for levieing fyve thousand horse, and ten thousand foott, to be vnder the conduct of my Lord Fairfax, who is supposed to be in armes befor this tyme. I doe beleeve, befor the last of this moneth, your Lordship shall receive very great news. My Lord Generall is very weill, and hath now ordered his army so as that they are as one man. I ame heartily sory that thir vnhappy differences should indanger the losse of gallant men on both handis. Bot I hope God will preserve His owne. I long exceedingly to heare of your Lordship's weill being, and my Lady, your mother. Iff I may be servicable to your intrest, or her Ladyship's, I intreat your Lordship give

me notice therof, and their shall be none more ready to endeavour the effectuating of your desyres nor he who is, my Lord,

Your Lordship's faithful and humble servant,

WILL. ROSS.

I should be glad your Lordship would appoynt William Maxwell, brother to the Laird of Cowhill, some tymes quhen he goeth to Drumfreis, that he would speik with William Awstian and John Gordone, glover, and cause sie that the workmen, in my absence, doe not chitte me in receiving thair wadges, and slightening the work, nor stealling away of the timber.

For the right honorabill the Earle of Nithisdale,—these humbly present.

144. ROBERT SECOND EARL OF NITHSDALE, to the NOBLEMEN and GENTLEMEN of the Stewartry of Kirkeudbright.

Yle of Corlaurock, 24 of May 1660.

RIGHT HONORABLE,—I ame hartely sorie that I ame not able, by reason of my present indisposition, to attend yowre meeting this day, which was my real resolution and greate desire so to haue doen, of purpos to haue communicat some things not conuenient to writt. But this farr I shall offer my opinion, that yow may, with much freedome, and upon verie goode grounds, desire Commissary Rosse to use all possible diligence to waet upon his Excellencie Lord Generall Monck for obuiating the prejudices prepared by uthers, both as to the impeding of the priuieleges of the stewartrie, and also missinterpreting the actions and dispositions of the inhabitants thereof, in relation to the desired approbation of his Excellencie's oundertakings at his going to England, which I assure yow hath taken more impression, and may be more prejudicial then many are awarr of. Yea, in so much, that I shall rather oundergo a great parte of his charges my self, before the journay should be impeded, for many reasons, whercof it is like my Lord Herriss and my Lord Kirkoubrie will communicat some parte thereof to yow; and ame verie hopefull that none of yow will missinterpret me upon apprehension of particular ends, but that my aduice and desires are for the goode and behalf of the contry and nothing els;

and would gladly obserue the opinion of those at the helm, with whom I sometimes correspond for youre behalf, and shall, so long as yow are pleased to make use of his opinion, who is,

Your real and affectionat seruant,

R. NITHSDAILL.

I haue the more friely writtin my thoughts of manageing youre friedome, because of youre trust reposed in me, which, God willing, you shall receaue ane satisfactorie account of, if yow be pleased to folow my opinion, which is no more but that wee may stick cordially and clossly to that which ye haue allradye condescended to.

For the richt honorabl the Noblemen and Gentlemen of the Steuartrie of Kirkoubright, at ther meating at Milton of Oar,—thes.

145. [ROBERT MAXWELL of] Tinwald to ROBERT SECOND EARL OF NITHSDALE.

Tinwaild, 22 July 1660.

VERY HONOURABILL LORD,—I deliverit your Lordship's lettres to the comander in cheeffe and his secretarie, who accepted therof very kyndlie, and examened Cambusnethen of those wourdes spok aganst me, who denyed the same, only said I had charge vnder the commonwelth as ane justice of peace, comissioner of assesment and subshirffe, but no further, and did declair the samyne in paper vnder his hand, Morgan atesting the samyne by his subcription, which I have for my clearence in that poynt. My Lord, my intention was to have comet be Kirkconnell, but was meat with ane letter at Moffet, which necessitated my home being this night: and therfor I hope your Lordship will excuse me, and cause receave your booties, which I got from John Habroune, and delivered him 12 libs. in prescence of Master Wood and Alexander Maxwell. My Lord, for newes the secretarie's letter to your Lordship will show yow quhat gennerally occures, but I spok with on that came the last weick from Court, (who brought the comission for aprehending of Weriston, Cheislie and the Provist of Edinbruch, the two last is kept close prisoneres in the castell, and great sherch maid in all places for Wariston, but not yeat aprehendet,) who

affirmes to me that Mideltoune is the greatest man with his Majestie of any Scotisman, and Craford and Glencarne, with the rest, is but in the secund ranck. Midelton is thought to be Comissioner from his Majestie at the Parliment, and Glencairne to be Chancelar, Crafourd to be Threassurar, Newbrouch Secretarie, and Sir Archbald Primrose Clark Register. The Scotis nobill men is expected to be doune this insewing weick, and seit in counsell or comitie of state as they did at Stirling, for doeing justice and preparing thinges to the Parlament att ther meittings at London. They wer resolueing to issewe out letters to per-ticular gentilmen in every shyre for convening of the shyre to elect ther comissioners to the Parlament; and your stewartrie, being propoundit by ane freind to have on, it was answered, they knew not ane honest gentilman in it all, and Borgatoune being named, they said he was ane tratour, and betreyed William Maxwell, zeat ther was some vthers named, but not condescended vpon quhen he come away, which was within this tewelue dayes. But he advysed your Lordship, if no letters sould come, yeat your Lordship to conveine the stewartrie, and elect ane member and give him comission, who is frie with complying, mideling, or having office vnder the Inglish, or walkes not in the way of the remonstratores, but will be obsequious to his Majestie's desyeres; for no vther will be admitted to this Parlament. So my Lord your freindes thinkes strange yow goe not to Court, and advyses yow to repair thither with the first convenience, for your Lordship wantes not vnfreindes to speik of yow ther, als weill as they doe of vthers. But I shall forbeire till I come to waite vpon your Lordship, quhich shall be, God willing, the nixt weick, and only as I am bound subscribe my selfe, my Lord,

Your Lordship's obedient servant,

[Signature detached.]

My Lord Argyll, Antrome, Heselrige, Sir Hary Vaine, Thomas Scot, is comet to the Tower, who is all thought will suffer. It is reported, but no certantie as yeat for it, that Ludon, Suthask, Rocks brouch, Lowdian, Twaddall, Wemies, and Sir Dannill Carmichall is aprehendet, and to be brought doune to byd ther trayell; and severall vthers heir to be aprehendet befor the Parlment. It is also reported that Argyll is shiped and to be doune this weick, and to be brought from the foot of the Cannongat on ane hurellbarrow, and his face

backward, bairheadet, till he com to the Tolbouth, quher he is to remaine till he get his sentance. But nothing for this but common report ; and that John Maine, merchant, should have receavet ane letter for beiring the same.

For my very homnorabill and nobell Lord, the Earll of Nithisdail.

146. ROBERT SECOND EARL OF NITHSDALE to SIR WILLIAM COMPTON.—Copy.

[August 1660.]

COUSIN,—Finding by my singulare good freend Commissary Rose that you are weall, and in capacity throw your former actings to assist your freends, I will forbear long narratiues, only desiring that if you, with your brother my Lord Northampton, shall iudge it a conuenient time for me to make my applications to his Majestie upon the retorne of your letter, I shall obey either for comming up ore to stay at home in the interim. I shall earnestly bege that you would giue your best assistance to Commissary Ross in promouing any thing that may concerne him or my self, as being one I am heylie obleaged to, and to whose relation I remite the rest. Soe trusting that hereafter I may e[n]joy the freedom of writing, I rest,

Your humble seruant and cousin—

[*Dorso*] Letter from the Earle of Nithisdail to Sir William Compton.

147. ROBERT SECOND EARL OF NITHSDALE to COMMISSARY
WILLIAM ROSS.—Copy.

[11th August 1660.]

SIR,—Wpon the recept of my Lord General's letter, I gave over all thoughts of comming up for London at this time, haueing his Grace's assurance and youre faythfull attendance ; but yours of the first of August being of a different strane, and showing that severall of my English friends wished my comming up for a time, it hath roused my spirits, and I resolve, God willing, to prepare my self for the giornay, only desiring that by the next post yow will cleare me of my doubts, which are, that since his Grace hath not judged my cumming up

necessar, if I should aduenture to come without his knowledge, hee might judge his aduice to be neglected, which censure I should be loath to incurr. Next, that since the Parliament in Scotland is to sitt down so soon, to witt, the 20th of October, as it is heere reported, and the Committie of Estates this month, my stay at London can be but veric short ; but I remitt these and all other things may occur to this purpos to your serious consideration, after you have consulted with his Grace and my other noble friends thereanent.

As for youre letters to my Lord Duke of Buckinghame, hee is to mee a meere stranger, and scarce acquainted with my mother, as yow will perceauce, and, safing once at the confusions in St. Johnston, I neuer saw him. I haue written to Sir William with a fleeing seal, peruse it, seal it, and deliuer [i]t. Yow give a hint as if yow wer prepareing something for me. What my friends there will doe I know not, but if yow think fitting, I shall writt and recommend the same to any friends whom yow shall nominat ; but, above all, sie how it doth relish with his Grace, without whose allowance and concurrence I will not walk in anything, as yow know veric weal. As for your letters, I thank God they are all com safe to my hande, I haueing euer my own serucent rady at Carlil when the post commeth, who receaucth them from Mr. Scott, who is carefull indeed. Upon Wednesday last I deliuered your letters to my Lord Herriss and my Lord Kirkcudbright, at Kirkgunion. I pressed for ane ansuer ; but my Lord Herriss' ansuer was that he had no more to writt then hee had doen in his former, which was inclosed in my last packet, till hee heared ane retourn from yow. My Lord Kirkeudbright sayd hee could not retourn yow ane positieue ansuer untill hee reused some papers in his closset, which hee could not come by at that present : only his Lordship was speaking that those of the shire of Wigton and Baldune be name are indeuoring to haue the stewartrie still annexed be virtue of the new writts for this Parliament. This his Lordship did ashure me and my Lord Herriss of, which is all I know. I ame confident yow will obuiai this according to youre instructions, and their Lordships did desire me to writt this to yow.

A letter of mine to Sir William Compton, and a letter from my mother to my Lord Northampton, and ane another to Sir William Compton.

[*Dorso*] Earle of Nithisdail letter to Commissary Ross, 11 of August 1660.

148. ROBERT SECOND EARL OF NITHSDALE to COMMISSARY
WILLIAM ROSS. —Copy.

[20th August 1660.]

SIR,—Yesterday I receaved tuo of youre letters, one of 7th and other of the 14th of this month. I giue yow thanks for youre news, and shall dispois of youre enclosed as is directed, and shall giue yow ane retourn after 8 or ten dayes. As for those tuo aspersions in youre last, the first concerning the King's horoscop and his suecess, I profess ingeniously to yow I neuer did it ; but it is not the first time of many I haue been blundred in that kinde, which maks I doe not value it, it being ane untreuth in it selff. As for the other, concerning my stop for preferment, which my eusin Sir William did assure yow of from the Generall, I doe verie weale belieue, comming from his hande. For my parte, trewly yow haue euer known my opinion in referenee to publick imployments, how auers I ame from it. And although I could get a burthen of testificats from the clargie for my conformitie, and youre owne knowledge thereof, yet I will desire no such thing for cleareing of my self heerein, since it doth stop me from nothing to which I haue any minde at this time. In my last to yow of the 14th of this instant, I gaue yow a tutch of what I and my mother hade written the ij of this present in full satisfaction to youre former : a double of which letter receaue heerein, where yow will finde that without his Exeellence approbation, I will not moue in any bussieness whatsomeuer : but because I finde that most, if not all, the nobilitie and gentrie haue gott promiss of satisfaction for their losses both in oure King's and his father's time, as my self haue sien ounder some of their hands ; my self and my friends haueing been so greate losers hitherto in that seruiee, I should desire to be included amongst these other sufferers, wherein I can say, and make it evidently appeare, there is not one familie in Seotland hath suffered greater losses, nor hath remaned more constant to his Majestie and his Royal father then those who depend on me, whereof thogh many hath losed their lifes and rowind their estates, yet not one can be found to haue born arms in the contrare, which I think few can say bot my self. I belieue the double of the certificat is in William Austin's letter, which I haue not sien as yet.

As for youre offee of Commissariat, I shall be sorie yow should lose it, but for

my farther writting to my friends, either for yow or for myself, I must differ for a time, since yow haue receaued but one, (which was the first I did writt,) this being my 7th letter to yow, I feare some neglect in yow in not haueing one to attend when the Carlil packett commeth up to London, wherein I shall desire that in times comming yow will haue one to attend the day when the packett arriueth, to preuent such inconueniences in tymes comming; otherwayes nather I nor my mother can writt with saftie, since letters by neglect are thus lossed at London; for to my knowledge all youre letters are come safe to my hande, and the reason is, I haue my seruient euery Saturday at Carlil, who receaueth all letters directed for me from the post or Mr. Scott, (who is verie carefull,) and satisfieth for both my self. Haueing this hastie occasion to Mr. Standsfield, I haue no more to writt at present, but expecting ane ansuer to the inclosed, and the doubts therein, I intend thereafter immediately, God willing, a voyage for London. In the meantime, present my most humble seruice to my Lord Northampton, my Lord Peterburgh, and Sir William, and desire theire aduice in the premisses, to whom I hade written if time had permitted, but I shall, after assurance that letters are not intercepted. So rests.

Mr. Stansfield, Sir, haueing this quick occasion, I humbly desire yow will send this in the Major General's packett as it is directed. I thank yow hartly for the fauour yow did to Mr. Stewart and youre last news. So in haste rests,

Your assured friende and seruent,

I meruell yow neuer gaue me a retourn to my lette[r]s for my Lord Glencarn and Macknaghten.

[*Dorso*] Nithisdale's letter to Commissary Ross.—August 20, 1660.

149. JAMES EARL OF NORTHAMPTON to ROBERT EARL OF NITHSDALE.

21 August 1660.

MY LORD,—I was very glad to heare by that worthy person, Captain Ross, of your Lordship's wellfare. His recommendation from so worthy person shall make mee do what lieth in my power to serue him, and I wish it were more. I thought these happy dais would haue brought your Lordship into the southerne

parts to haue participated your ioies you foretold would happen by your speculation on your northern stars ; which not despairing of, I rest, my Lord,

Your Lordship's most affectionate cozen and humble servant,



For the right honourable

The Earle of Nithsdale,—these present.

150. COMMISSARY WILLIAM ROSS TO ROBERT SECOND EARL OF NITHSDALE.

Westminster, the 15th of September 1660.

MAY IT PLEASS YOUR LORDSHIP,—This sad stroak of the Dwk of Gloster¹ his death, who was remoued yeasternight abowt 12 a'clock, his sikness being the smal poks, doeth put an halt to business for sum days, dewring which tim al are putting themselues in morning, so that your Lordship neids not bring anie cloths but an soot of blak for your stay, in cass your Lordship mind to retwrn to the Parlament. The Prinsses Royal is expected hear this day also. The Spanish Ambasadowr is comde, but wil not get awdiane for sum tim becawse of the Dwk's death. The King is extreamlie trubelide at the loss of such a brother, and so hath al the peopel in the three nations reason to participat, for thair cowl'd not be a mor acomplishid princ, and woe be wnto tham that is not sorie for his loss. The Parlament is adiurned wntil the 6 of Nouember. The Marquiss of Hartfeeld is mad Dwk of Summerseat, and is lyk to die of sikness. Thair is a declaration consarning relidgion to be ishwed owt by his Maiastie somtim the nixt weck. The armie is iust now to be disbandid, and is this day casting lotss what reggiment shal first be put off, the munie being so ordered that three reggiements may be payed off eatch weeke. So with my humbel seruic to my Lady your mother, my Lord Hariss, and my Lord Kirkeudbright, I remain, my Lord,

Your Lordship's most humbel seruant,

WILL. ROSS.

¹ Henry Duke of Gloucester was the youngest of the three sons of King Charles I. The Duke was born in July 1640, and died unmarried on 14th September 1660.

I dowt not but diuerss of my former hath satisfied your Lordship that my Lord Dwk of Albamarll, and al the rest of your freands, aggree that it is conueniant your Lordship hast hither. I haue spok for your lodging to be at Mr. Sidnam's, hard by Chearineross, whar the Ladie Dirltown liued. I hop your Lordship wil mind to bring with yow what further desyrs the Lords of Hariss and Kireudbright hath, and let sertificats be to ueriefie thair particular sufferings. Also, I hop your Lordship will cawse indeauowr the haistning me summunie aeoording as I formerlie writ.

For the right honourable the Earle of Nisdeale, or, in his Lordshipp's absence, to the Countes of Nisdeale. Leave this with Mr. Scott, a merechant in Carlile, to bee sent as above said, Carlile.

151. COMMISSARY WILLIAM ROSS to ROBERT SECOND EARL OF NITHSDALE.

Westminster, the 17 of September 1660.

MY LORD,—Yeasterday the Spanish Ambasadowr had awdianc at fowr aelok, who hath a most rich retenewe, and hath a verie good execeptane from his Maiastie. The Parlament is now adiurned; the Committie of the armie is daylie sitting in ordo to the disbanding of the armie, and are casting lots for the sam. I desyr to know your Lordship's resolution eonserning your eomming wp, it being both the Dwek of Albamarll and your Lordship's other freands thowghts and aduie that you showld hast hither. I shal not dowt but your Lordship wil eaws your seruant bring along what further eommands the Lords of Hariss and Kirkeudbright hath. So, with my humbel seruiss and my seeritariss to your Lordship and my nobel Lady your mother, I remain, my Lord,

Your Lordship's most humbele seruant,

WILL. ROSS.

I forbear inelosing of the points, being hopful Mr. Seot wil be cairful thairof to send them to your Lordship.

For the right honourable the Earle of Nidisdail. To bee left with Mr. Scott, merechant in Carlile.

152. SIR WILLIAM COMPTON,¹ third son of Speneer second Earl of Northampton,
to [ELIZABETH COUNTESS DOWAGER OF NITHSDALE.]

Nouember 5, 1660.

MADAME,—I receued a letter from your Ladyship by my Lord, since which I haue bin out of town. At my return I haue receued two more, bareing date the 13th and 19th of October. I wish it lay in my power to serue your Ladyship and my Lord in a more efectuall manner than reall expresions, for no person liueing should be more reddey to giue testimony thereof than I should, the persecutions and great sufferings that has atended your family since the first begining of the unhapie differencees, can not but be taken notice of. Though the present coniuncture presents not yet any redres, what is delaied I hope will not be forgot. 'Tis many persons' condition heere at present, waitie reasons mooueing his Majestie to reward som whose sufferings haue bin little upon his acount, whilst others that haue ventured all must rest satisfied, the same zeale and loyalty that has led them into so many hasourds, afording them patience to be satisfied with his Majestie's proceedings, it tending to his settlement. I haue writt thus much to informe your Ladyship that you may not be discouraged if my Lord receues no present advantage or reeompence for his sufferings. I should be verry glad to be able to serue my Lord upon that subiect you mention in your last letter. I haue not yet, by reason of my being nesesitated to be out of the town, had opertunity to be so free in discours with my Lord of his busines, as I shall now I am returned. My brothers and my sisters, I thanke God, are all well; my sister Northampton is againe bigg, and my Lord Compton and her other sonne verry lustie fine childeren. I shall not now giue your Ladyship any farther trouble, but take my leaue, and rest,

Your Ladyship's verry humble seruant,



[Dorso] A letter from Sir W. Compton to the Countes of Nathasdaill, 5 No^r 1660.

¹ Sir William Compton was engaged in the eighteenth year of his age in the civil wars of King Charles I. He died on 18th October 1663. Oliver Cromwell called him the "godly Cavalier."

153. GEORGE MAXWELL of Munches to ROBERT EARL OF NITHSDALE.

Iylle, 12 off November 1660.

MY VERIE HONORABILL LORD,—Since yowr Lordship went from this I have alwyse beine keipit ryding in matteris betuix your stewartrie and shyre of Wigton, first in reference to sevine month assestment which is laid on, and the Comissionouris names put in promiscowslie, being 8 in the shyre and only 3 in the stewartrie wher Brochton was on, who still sydis with tham, and Sir James Murray and myselfe the vther twa. Sir James keipis no dyet, and so I was lyft alone. Ther was ordor sent also to chuse twa Comissionouris owt of eiche shyre in this kingdome for meting his Majestie's Comissionouris at Edinburgh, the 15th of this instant. Owr meitting being at Wigton, they intendit to have chusit twa owt of the shyre withowt the voice of the stewartrie, and non so forward therin as Brochtone. I prevaillit so fair with owr convener (who is yong Park Hey,) that all was continewit, and owr meitting apoyntid at Kirkeudbrycht vpon Thursday last, wher I movit my Lord[s] Kenmoir, Hereis, and Kirkeudbrycht, and the whoill gentrie to be, who, befor they wald voice, protestit that ther joynt choising of Commissionouris for both sould not infreng nor prejug the libertie or privilege of the stewartrie in the leist. Therafter the Master of Hereis and Park Hey yonger was choisit, with vnanimoise consent of all present, save Brochtone, who protestit the meitting vnlawfull, and that the convener had loisit his pover because the Commissionouris was not choisit at Wigtone the first day, and he and a multitud of the shyre, who was not with vs on Thursday, choisit vther twa at Wigtone, and instructit tham and hes sent tham owt, wherof Brochtone is on. My Lord, this matter will be fullie dispuir befor the Committee of Estait this weik, for owr Comissionouris is owt sufficientlie instructit, and hes frends in this cawse befor tham. But leist we sowld loise this, and therby loise owr election also of a Commissionour to the Parlament, it is humblie desyred be all that met that your Lordship wald procuir from his Majestie a warrand for chuse a Commissionour owt of the stewartrie be it selfe ; as it hes beine in vse and custome in the 1617 yeir of God, and ever sinsyne, and haist it home to vsse.

My Lord, the noblemen and gentrie all standis stowtly to yow, and non moir nor Kenmoir, and therfor doe what can be in this, which wil extremlye

sattisfie tham, besyds your awone honor and benefit in the thing it selfe. My Lord, I crave pardone for my prolexitie heirin, but I was ordorit by the meiting to show your Lordship the whoill, which I hoip will pleid my excuse. Your honor wald doe weill to haist home to proveyd for the Parlament, and to get some good horse. Iff yow get not ane better, I sall giue yow Archibald Stewartis, for I have bocht him. I say no moir, bot attends your honoris command, and as my bond dewtie is, so I subscryve my selfe, my Lord,

Your Lordship's humble and obedient servant,

GEO. MAXWELL.

For the richt honorabill and my noble Lord,
The Earlle off Nithisdail.

154. ELIZABETH BEAUMONT, COUNTESS DOWAGER OF NITHSDALE, to her son,
ROBERT SECOND EARL OF NITHSDALE.

28 March 1661.

SON,—I haue sent out this bearer expressly to desire yow will be pleased to come in to this contrie for some few dayes, that I may dispose of some things which doth verie much concern us both ; for, in treuth, I ame in that condicion at this present, that I ame forced to borow ane friend's hand for this letter, and so far I thought fitt to aquant yow with before hande, that yow may be in radieness to com when youre hors cometh for yow, which I intend to send from hence with John Dixon, on Tuesday, the 2d of Aprile. In the interim, before yowre comming from Edinbrough, I desire yow will send these inclosed, in a sure way, to my friends in England, who hath verie sore challenged me of late for my neglect in writting to them : Thus, till I see yow, and cuer, I rest,

Youre most affectionat mother,

E. NITHISDAILL.

I pray yow direct these inclosed, so that thay com safe
to their hands to whom they are indorsed.

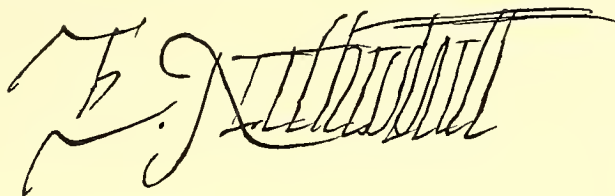
For the Earle of Nithisdale, Edinbrogh.

155. The SAME to the SAME.

this 15th of Aprile 1661.

SONE,—I receaved yours of the 8th of this present, and ame glade youre health doth permitt yow to stay and sie ane end of the Parliament, especially since yow writt that some were censuring youre comming to the contrie at this time. As for the moonies yow desire, Will Carlil may show yow in part what means I haue used to get sum, but in vane ; but how soone I can I shall send yow some, which I hope shall be shortly ; till when, and euer, I ame,

Your most affectionat and loueing mother,



I ame so stretned in my new gown that I can not writt my self.

For the Right Honorable The Earle of Nithisdale, Edinbrough.

156. The SAME to the SAME.

May the 22, 1661.

SONNE,—I haue sent for the gentillman, but had not the moneys redy for the present yow desired. Trewly neather yow nor I am thankfully us'd by sume of your frends. I would gladly sie yow heare, that I may sattle my fortune in a more sure condition. I am to deliuer to Majore Carulthere foure hundred marks on Thursday next, which he hes promissed to deliuer to yow presently. I desire, when Tom Smith coms, yow will send Wil Carlyle to Winton vpon your grey nagg, to feeth the gentleman if he be ther to Edinburgh, that his hoss may rest a day. I have hained the graee, as yow desired, against yow come, for hay, it canot be had for money. Though I desire to see yow, I will

not advise yow leaue the Parliment till yow see the conclution. This is all I can say, but that I am,

Your affectinatt mother,

E. NITHISDAILL.

For the Earlle of Nithisdail.

157. SIR WILLIAM COMPTON to ROBERT SECOND EARL OF NITHSDALE.

June 3, 1661.

MY LORD,—Since my last, the Parliament pased a vote for burning the Couenant by the hand of the hangman. Som were troubled at it here, but not many. Wee are now upon a bill for repealeing the Act by which the Bishops were excluded from siting in Parliament. The House haue voted the King a voluntary and free benevolence : ships are in prepaireing, but it is not yet known who will be the person that shall goe to fetch the Qweene from Portugall. My Lord of Peeterbrough is to goe Gouvernour of a town in Barbary, in the mouth of the Streights, called Tangier, which the Portugalls put into the King's hands. The Lords that came lately from your Parliament solisite hard the withdrawing the English out of the forts in Scotland. I supose their seute will be graunted, but Leith will be continued for a while ; wee shall not be so siuill as to leaue the forts standing, when the forces are to be withdrawne. Wee haue reports here that the Marques of Arguile aserted the Couenant and his owne inosensie much at his death. They were well coupeled, and equaly to be esteemed, for his inosensie, I beleecue, had the greatest share in promoteing the eeules the other braught us into. I shall somtimes, when I haue any new matter, trouble yow with a letter, but at present haueing no more, I take my leaue, and rest,

Your Lordship's verry humble seruant,

W. COMPTON.

To the Right Honourable the Earle of Nethisdale,—these.

158. JEAN MAXWELL of Kirkconnell to the SAME.

Kirkconnell, this 7 of October 1662.

MY LORD,—I thanke your Lordship kyndlie for remembring me with this present of fishes, which is the onlie meat I love best ; for we have all feasted wpon them this night. Receive your stotte, together with ane salter, for I heard yow say that yow stooode in neid of one ; tho it be little worth, it will serve your Lordship for the present, and when ye have occasion ye may buy ane better : if your Lordship fancie the laime one better then this, yow shall have it also ; and what I have that your Lordship laikes, I pray yow acquent me, in the which doeing yow shall oblige hir who is and ever shall remaine,

Your Lordship's most faithfull and obedient servant,

JEAN MAXUELL.

For the ryeht honorable the Earle of Nithisdail, at Isle in Carlaverocke.

159. JAMES DUKE OF BUCCLEUCH AND MONMOUTH to JOHN THIRD
EARL OF NITHSDALE.

September 1671.

MY LORD,—I haue received yours of the tenth of August last, concerning the baronie or lordshipp of Langholme. It is not very long since I came of age, to bee in a legall capacity to medle with that, or any other part of my estate in Scotland in my owne name ; and therefore have not yett had tyme to enquire into the transactions of my curators during my minority. So that I am not able, at this distance, to give your Lordship so satisfactory an answere as you may desire ; yett I finde by the agreement made between your Lordship and them, in June 1665, that they were to pay you five thousand pounds at three equall payments, but not till your Lordshipp had made mee a good and a perfect title to that estate, such as my counceill should approve off. And whether the non-performance thereof bee the cause that hitherto that money is not accordingly pay'd I know not. But, my Lord, I will recomend it very effectually to my commissioners' care to give your Lordshipp all just satisfaction ;

for I doe assure you that I am as desirous to have an end putt to that affaire as your Lordshipp can bee. And they have informed mee by their letters that they have already designed severall summes of money for that very purpose. My Lord, I am very much oblided to your Lordshipp for the kinde expressions of your affection and respect to mee, which I will endeavour to deserve, so farr as it may lye in the power of, my Lord,

Your Lordshipp's very affectionate servant,

Buccleuch and Monmouth

To the right honorable the Earle of Nithsdale,—these, Scotland.

160. ANNA DUCHESS OF BUCCLEUCH AND MONMOUTH TO ROBERT FOURTH
EARL OF NITHSDALE.

Whitehall, September 30th, 1678.

MY LORD,—I assure your Lordship I haue noe satisfacione in the protracting any bussiness wherein I am concerned, and I am sorry if you conceive any delay to haue proceeded from me or my commissioners to your prejudice; and in returne to yours, I shall be cairefull that directione be given to those who mannadge our affairs in Scotland, to endeavour with all possible diligence to bring any differences betwixt us to a close, with all the satisfaction to yow that may consist with the interest and security of, my Lord,

Your humble servant,

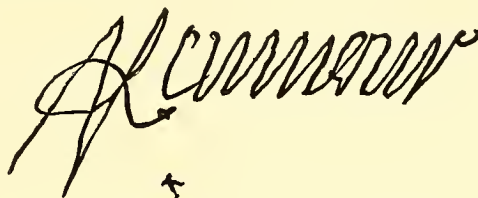
Buccleuch and Monmouth

For the Earle of Nithsdail.

161. ALEXANDER SIXTH VISCOUNT KENMURE to the COUNTESS OF NITHSDALE.

Kenmoure, October 17th 1689.

MADAM,—I received your Ladyship's from Neula wherin ye shou me that I have beene contriving ane petitione against your son, my Lord, quich I have not hitherto don, but I remember, at the siting of the Conventione et Comitii of the Lords did notice that there is ane Act of Parliament discharging all Shirifs and Steuarts that were popisly inclyned, whereanent I spok the Duk of Hamiltoun, who said he wold wryt to your Ladyship theranent, which is all I ever did theranent, noe further troubling your Ladyship, save that I am,
Madam, your Ladyship's most humble servant,



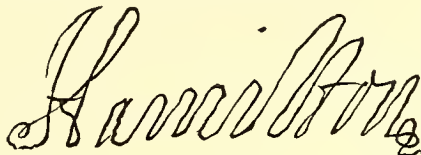
For the Countess of Nithesdaile.

162. WILLIAM THIRD DUKE OF HAMILTON to MARY COUNTESS OF TRAQUAIR.

London, 30 Jan. 1693-4.

DEARE NEICE,—I am very glade to hear of your mariage, especialy since it is to so worthy a man as I hear the Earle of Traquair is, and albeit I have not the honor of his acquaintance, yet since by yow, I have now so near a relation to him, I will desire yow will present my humble service to him, and assure him of all the kindnes I can do to yow both, as being

Your most affectionate wnkle and humble servant,



To the Countes of Traquair.

163. CHARLES FOURTH EARL OF TRAQUAIR to his COUNTESS, LADY
MARY MAXWELL.

Traquair, February 9th [16]94.

I HAVE sent in the footman, my dearest, expressly to know how you are. I desire you would send him back againe here to-morrow, for I long extreemly to heare from you. I assure you I never thought two dayes so long all my life as these since wee parted, nather my affairs nor nothing else can hinder me from thinking allewayes one you. I wish passionatly to be with you againe, and if you have but half so much desire to see me, you'l know how uneasy I am when from you ; so nothing can divert me from being with you, God willing, one Tuesday, as I promised. Untill then, my dearest life, adieu.

Traquaire

Give my humble duty to my Lady and to your brother.

For the Countess of Traquair.

164. The SAME to the SAME.

Edinburgh, 8 November 1694.

I HAVE seen no body, my dearest, since I came here but my Lord Drumlangrige. He goeth not away till Monday. I am to meet with the people I have to doe with this forenoon, and will press to get my business ended as soon as possible, for I swear I am already wearyed of this place, and longs to be at home with my dear wife, whose company I prefer to all the world's beside. Their is no news, only Sir Thomas Livingstoune and Sir William Hope are gone to Court. It's said King William hath got the confederacie continued for five years longer, and that non of them is to make peace without consent of the rest. Have care of your health, my dearest. Adieu.

T.

Give my service to my Lady and your brother. Tell him my Lord Roxburgh



CHARLES FOURTH EARL OF TRAQUAIR,
HUSBAND OF LADY MARY MAXWELL.

came here last night, and that I shall not fail to deliver his commission to him. Send the same three horses on Monday in, if you do not hear from me betwixt and then.

For the Countess of Traquair.

165. ELIZABETH HOWARD, DUCHESS OF GORDON, to [MARY COUNTESS OF TRAQUAIR].

March the 9th, 1695.

MADAM,—I should thinke it soe great a hapiness to serve your Ladyship, that I hope by the begining of small maters, you will comand me in greater, to show you my readiness, in what lys in my power; these receipts are most of them all experienced by my owne practice to be most exelent, I assure your Ladyship; and beg you'l be soe kind as to keep them to yourself, for there is few (and has been none yet,) I have imparted them to. Mr. M'Iver told me your Ladyship had a mind for the receipt of my Sanatifera in particular, besides the note was sent of what you had a mind for, soe I have alsoe sent it your Ladyship; but it being writen by a man, I could not let him write the last two lines of it, which I add on the other side of this leter. Be pleased not to owne you have it, but give it some other name. I was extreemly glad to heare of your Ladyship's hapy deliuey, and since of your recouery; wishing you much joy of the litle lady, and that a young Lord may follow at the yeare's end, I am the Countess of Needsdell's most humble servant. Pray send me word whether wee who are in this place may hope for the hapiness of seeing both your Ladyships heare, when once you are growne strong againe. I canott, however, but covett that good fortune, since none can be more then I am,

Madam, your Ladyship's most affectionate and humble servant,

Eliza Gordon

I write this by advance to fold up with the receipts, which I shall send your Ladyship with the first sure opertunity.

166. The SAME to [the SAME.]

The 7th of April 1695.

DEARE MADAM,—The fauour of your Ladyship's leter is soe wellcome to me, that I am glad of the opertunity of this bearer to returne your Ladyship thankes for it, and let you know at the same time how much I am delighted att the hopes of seeing your Ladyship shortlie at this place. The expectation of it canott but be a great deale of satisfaction, tho', at the same time, I shall thinke long for the time of enjoying your good company, with that of my Lady Nidsdaile's, whose most humble seruant I am. I send you my receipt of the leaden plaister as a thing not to bee wanted about a family, or in a country of sick people; it is the best in Britaine, and I haue sent it your Ladyship by M^r McIver, writin so plaine, that you canott miss in the making off it; but if you doe, when ever your Ladyship and I meet, I'll make it before you, as alsoe some other of the things I have sent, which may be harder then this. I should be ashamed to offer you my service in these small maters, were it in my power to serve your Ladyship in greater, but I hope you will be soe just (as well as kind) in the judging by this, how much I am, till I can give your Ladyship a greater demonstration, most sinsearly, dear Madam,

Your Ladyship's most affectionate and most humble servant,

ELIZA. GORDON.

167. CHARLES FOURTH EARL OF TRAQUAIR to his COUNTESS, LADY
MARY MAXWELL.

Edinburgh, 26 July 1695.

MY DEAREST,—I have kept the hous since Saturday with a sore lipp. On Monday I sate at the window all day with nothing but my night gown on me, so that I catched a little cold, which indisposed me somewhat that night and nixt morning, but afterwards I got a good sweat, which did me a great deall of good; I am just now going to take a little blood, and hops, God willing, to be abroad to morrow. I wreat this to you that you may not be alarmed, for I

bliss God it's nothing but a cold I have gote, and I find myself this day much better. I long to hear, my dear lif, how you have been since wee parted, and how our little child¹ keeps her health. I hope to be with you on Saturday, so, my dearest, adieu.

TRAQUAIRE.

The bearer will give you the news. Tell Pirne to dispose one the sheep as I spoke to him at parting, for the markets will be over befor I come home.

For the Countess of Traquaire.

168. The SAME to the SAME.

[Edinburgh,] 1 February [16]97.

MY DEAREST,—I have sent for my horses to come in tomorrow, though I am not sure of my out comming untill Thursday or Friday. Let me know how you have been since I left you. I had a letter from your brother, which tells me all are well their. The reasone of my so long stay here is not only my own business but also your brother's, which you shall know at meiting. I hope I shall not in hast have occasione to be from you, for I assure you I have noe reall satisfaction but in the companie of you, my dearest life. Adieu.—I am, for ever yours,

TRAQUAIRE.

Let me know how the child is, and give my service to my friend.

For the Countess of Traquair.

169. WILLIAM FIFTH EARL OF NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

Teragles, February 16th, 1697.

DEAR SISTER,—The condition you are in, and our earnestnes to know how you are at present, occasions the sending of this express ; soe I hope he will

¹ Lady Lucie Stuart, born February 1695.

bring us the longed for account of your good health. My mother and I (please God) will be with you the first week of March, and are to goe be the Birkhall path if the wather proves good. On Munday last I receaved a letter from Barneleugh, aquanting me with the settling of my affaires with the Dutch[ess] of Buckcleugh. I sent my Lord Duke a letter of thanks, but must still acknouledg my dear Lord Traquair to be the maine instrument. My dear sister, I'll make no further compliments on this untill I am capable of requiting his innumerable favours otherwayes then by words. So till then, and for ever, I am, my dear sister's

Most affectionat brother and very humble servant,

Norhsdall

Your doughter is nou so much master of the
language that she is mighty deuerting to all of us.

170. CHARLES FOURTH EARL OF TRAQUAIRE to his COUNTESS, LADY
MARY MAXWELL.

Edinburgh, 19 Junc [16]97.

MY DEAREST,—If I had not gotten the occasion of this bearer, I was to have sent out the footman to know how you and the children were, and to tell you that it will be midle of nixt week at soonest befor I see you; for my Lady Cardrouss came not here till Thursday, and it will be that tyme befor all things can be ended betwixt us. I am going this afternoon to Colstoun, and will be back on Monday early. I beg you'll let me know as soon as possible how you and the two little ones have been since I left you, and I assure you I shall make all the hast imaginable to be with you. My dear life, adieu.

T.

The bearer will give you the publick news, and what is
doeing here you shall know at meiting.

For the Countess of Traquaire.

171. The SAME to the SAME.

Edinburgh, 11 January [16]98.

MY DEAREST HART,—I have sent home my horses, for I think it will be the end of this week at soonest befor I can come from this. My aunt being still alive, but extreemly weake, and past all hopes of recovery, it's thought she cannot laste till tomorrow. She speaks as perfectly as ever, and told me of a match proposed for hir daughter, which I shall tell you at meeting. Their is no news, only that Whithall is all burnt to ashes. Let me hear how the child Ann is, and have a care of yourself till I see you, which shall be as soon as possible. My dear life, adieu.

TRAQUAIRE.

For the Countess of Traquaire.

172. The SAME to the SAME.

[Edinburgh,] May the 4th, [16]98.

I HAVE sent the footman, my dearest, to tell you that it will be Saturday or Sunday at soonest or I can see you, for your brother's business will take that tyme or it be ended. Lucie is well, but the wildest creature in the world, and will not heare of the chaire to travell in. I shall make all the hast possible to be with you. Be not alarmed if it be Monday or Tuesday or wee see you, for every day ther is people comming here on affairs wee did not expect. Tell Marjory to be ready to goe for the child when I come home. Adieu, my dear life. My humble duty to your mother.

For the Countess of Traquair.

173. The SAME to the SAME.

Edinburgh, 8 December 1701.

I HAVE sent the footman to know how you, my dearest, and the childeren are, for I am very uneasie untill I heare about the sick ones. Ther is no word of

D[octo]r Pitcairn's going to Neidpath. If you think it necessar, I shall strive to bring him out with me on Thursday. I have ended with my Lord Balintine, and my business befor the Session is to be in toomorrow, and befor the Commission of Kirk on Wednesday. Believe me, my dear life, I never longed so much to be with you as now, and I find no such satisfaction here as to be with you and the little ones. I am just going to my lawiers, so adieu, my dearest.

T.

Dispatch back the footman tomorrow, and
caus send in my horses on Wednesday.

For the Countess of Traquair.

174. The SAME to the SAME.

Bath, 4 May 1706.

I CAME safe here last night, and I thank God was very well all my journey. I am to begin to drink the waters tomorrow, and you shall heare, my dearest, from tyme to tyme how they agree with me. My great trouble at present is, to know how you and the children are ; for I will be very uneasie untill I have letters from you, which I desire may be as often as possable, and that you would take care of your own health, if you have any concerne for mine. Ther is a great croud of company here allready. My Lord Annandale makes the greatest figuir of any. Mortoun and Roxburgh wer gon to London befor I cam, so ther is but few of our country men here at present. Give my humble duty to your mother, and my blissing to the bairns, and my service to Mr. I. and honest Horsburgh. Adieu, my dearest.

TRAQUAIRE.

Haining will writ fully to you by nixt post.

For the right honorable the Countess of Traquaire.

175. The SAME to the SAME.

Bath, 29 May 1706.

I HAD yours of the 14th of May on Monday last, which I assure you, my dearest, was very acceptable to me, since by it I had the good news of your

and the children's health. I thank God the waters agree very well with me, and I am much better then when I came from home, and hopes to recover daily.

Let me heare frequently how you are by some or other tho' you writ not yourself, for, beleive me, it will be a great satisfaction to me. Give my humble duty to your mother, and my service to the Lady Munches, and give her my thanks for her kindness to you at this tyme. My blessing to the bairns, and service to my old freind. Haining or William Lindsay shall writ every post, and I hope shortly to writ to you myself, when you may expect me at home, for I earnestly long to be with you, my dearest.

TRAQUAIRE.

For the right honorable the Countess of Traquair.

176. JAMES SECOND DUKE OF QUEENSBERRY to [WILLIAM FIFTH EARL
OF NITHSDALE.]

Holyroodhouse, October the 30th, 1706.

MY LORD,—I shall be glade if my name has done your Lordship any serviee in the trust I have had for yow as Stewart of Kirkecubright. But I am desireous to be free of that trust in time comeing, and for that reason I hope your Lordship will be pleased to send in my backbond, to any whom yow trust in your bussinesse, that it may be retired on my denudeing in the terms of it.

I take this occasion to assure yow that I shall allwayes be ready to shew the esteem I have for yow and your famelly, and that I am,

My Lord,

Your Lordship's most humble servant and affectionate eousin,

A handwritten signature in cursive script, reading 'Queensberry', followed by a long horizontal flourish line.

[Address wanting.]

177. CHARLES FOURTH EARL OF TRAQUAIR to his COUNTESS, LADY
MARY MAXWELL.

Castle of Edinburgh, 7 at night [April 1708].

MY DEAREST,—I thought it would be agreeable to you to hear from myself, that, I thank God, I am very well, and the castle air gives me a good stomach. Wee have very good company here, and liveth very pleasantly. The only thing that troub[le]th me is the want of you, which, though your health could allow you to com in, you would not be allowed to stay here, for non of our friends that have their ladys in toune can see them, but with great difficulty. The bearer is just going away, so I have scarsly tyme to desire you to take care of yourself, and my blissing to the bairns, and my service to Haining and Horsburgh. Adieu, my dearest, you shall hear more fully from

TRAQUAIRE.

By nixt occasion do not writ to me yourself, for I know it's very uncasie to you. I hope honnest Haining will writ how you and the children are.

To the Countess of Traquair.¹

178. The SAME to [the SAME.]

Castle of Edinburgh, 22 Aprile 1708.

I LONG extreamly, my dearest hart, to see you, so if your health can allow, I would have you take the opportunity of your mother's coach to come hercin. I thank God I am in perfit health, and hath not been so well their severall years as I have been since I cam here, wherfor I beg, as you love me, not to be discouraged for what els shall happen to me. The bearer will informe you fully what is ordered about all the prisoners. Give my humble duty to your mother, and my blissing to the bairns.—I am, my dearest life, intirly yours,

TRAQUAIRE.

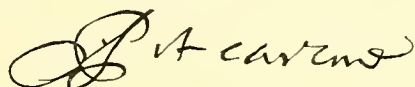
¹ The imprisonment of Lord Traquair, which appears from this letter, was probably owing to the suspic:ion of his favouring the contemplated rising on behalf of the royal family of Stuart.

179. DR. ARCHIBALD PITCAIRNE to Mrs. ABERCOMBIE, at Traquair.

Terregles, 18 September [1708]?

MISTRIS,—I fear that I shall not come to Traquair at this tyme, the way is so bad by Moffat. Therefor be pleas'd nixt week, if occasion offers, to write to me at Edinburgh ane account of my Lady Traquair, and if it continows to be with her, as yow told me in towne last, that she has constantly some loosing. If it is so, I recommend to her Ladyship the use of the carvi that I brought with me for her. Let her lick (not chew) as much of it as a sevenpence can lift, once or twice a day at any tyme. Remember that she is only to lick it. . . .

I am, your most humble servant,



My Lady Nidsdale has a felt gravel, but I have no fears for her. Adieu.

My Lady has not rested well this last night, and that is all her trouble at present; but the pain recurs now and then. They have frightened her with the storie of an ulcere in the womb. God forgive them.

For Mistris Abercrombie at Traquair.

180. ALEXANDER STRACHAN to MARY COUNTESS OF TRAQUAIR.

March 22, 1710.

MADAM,—It is by the express command of her Grace the Dutchess of Gordon I doe myself the honor of writing this at present, and it is on the following account: The Countess of March has recciv'd some advice from the country, which has allarum'd all your Ladyship's faithfull friends here, which was that my Lord Linton is dangerously ill of a pleurisy, and has beene thrice blooded. The Dutchess, who has always a very particular concern in your Ladyship, and all your family, sent for me as soone as this sad news (which wee all hope is false) reached her, and order'd me, if I found no occasion for Traquair this day, to send an express to your Ladyship, with the following receipt for the pleurisy, which her Grace knows, by very many experiments, to have sur-

prizing success, which cannot possibly doe any hurt, and which is a secret she valews so much, that she would not have parted with it, but on this or such an occasion. She desires, then, that your Ladyship may cause any body goe to the house where the fowll's stay, and gather up carefully from the top of the hen's dung the white that ly's above, and make it in a powder, and give him as much as will ly on a half penny of this powder, in any liquor your Ladyship thinks convenient, or my Lord Linton inclines most to drink off. In three or four times renewing this, the feavor will goe off, and she says she has seene this doe when physicians were at a loss, having frequently blister'd and vomited, and taken blood nine times, and still the feavor remain'd obstinately, till the reiterat use of the powder abated and carry'd it off. The reason her Grace gives for this is, she says that white is a most excellent salt. This, with her Grace's humbl service to the Countess of Nithsdaill, my Lord, your Ladyship and the young ladys of her acquaintance, is what I write by her Grace's positiv orders.

Pardon me, Madam, if I take this oportunity to congratulat your Ladyship's safe and happy delivery of your youngest son, whose birth, as it seems auspicious by the universall and unanimous joy of all your Ladyship's friends and servants, so I hope his life will prove a lasting and solid comfort to my Lord and youre Ladyship. That Almighty God may long preserve my Lord and all your Ladyship's most promising children to you, and your Ladyship to them, is the dayly and hearty prayer off,

Madam, youre Ladyship's most faithful, most obliged, and
most gratefull servant,

AL^x STRACHAN.

My wife presum's to offer her blessing and most dutifull
best wishes to your Ladyship.

For the right honorable the Countess off Traquair.

181. MARY COUNTESS OF TRAQUAIR to her mother, LUCIE COUNTESS
OF NITHSDALE.

Traquair, September 7, 1711.

DEAR MADAM,—I am glaid to knov by my brother's footman that your Ladyship is in health, and wish the contenuance of it. The horses is sent to bring



LADY MARY MAXWELL
COUNTESS OF CHARLES 4TH EARL OF TRAQUAIR.

home the young folk. My sister was so kind, in her last leter, to disir ther stay till the Roodsmass, but I am scencibll of the great trubll they must be to the faimily so long, besids, the weather is nov so uncerten, that I darr not trust to it any longer; othervays I wold uery vilingly have condesended to ther stay till you had all wearyed of them, knoving they cannot be in beeter company. As for themselus, I belieue they will be uery sory to pairt from thos that haue shovn so much kindness to them, especially your Ladyship, who is always so afectionat toward them. God give yow health and long liffe till ye see them such a lenth as to be scencibll themselus what they ove your Ladyship. All the rest hear are preety veell, blisd be God, and I haue kept braue and weell myselff this 3 month past. My Lord and the childring giue ther humbll diuty to your Ladyship, and beg your blising, as dooth,

Dear Madam,

Your Ladyship's most deiutyful daughter and humbll seruant,

Mary Traquair

I expect the childring will come of on Munday without feall.

For the right honourable the Countess Dowager of Nithsdeall, at Teraglist.

182. LADY LUCIE STUART to [her grandmother, LUCIE COUNTESS-DOWAGER OF NITHSDALE.]

Traquair, November 14, 1711.

DEAR MADAM,—It was with great regrat I did not writ to your Ladyship with my Lord Nithsdale's footman, but he stayed so short whelle, it was not possible for me to do it. This maks me the more earnesst to lay hold on this occasion of the post, of paying my duty to your Ladyship, and giving you my most heart thanks for your constant care of me, and so many favours I have received from your Ladyship. My Lady recovers prity well, blissed be God, but is not yet come to her perfect strenth. Mr. Straethan went from this on Monday last, and had orders from my Lord and Lady to give your Ladyship an account, with the first post, how my Lady was. My Lady gives hir humble

duty to your Ladyship, and desires that you would order Mrs. Breun to give us an account frequently of your Ladyship's health. All my brothers and sisters gives ther humble duty to your Ladyship, and begs your blissing, as I do, who is with all respect, dear Madam,

Your Ladyship's most dutifull grand child and humble servant,

Lucie Stuart

I had all most forgot to tell your Ladyship that the child is called Louisea. I presume to truble your Ladyship to give my humbl duty to my uncl and aunt, and my service to my litle cousin.

183. FATHER JAMES HUDSON¹ to [MARY COUNTESS OF TRAQUAIR.]

January 17, 1713.

MADAM,—I should be very loath to give the least occasion of renewing your Ladyship's grief, wer it not to discharge myself of the promise I made, to obey a command laid upon me by my Lady Dowager on the 21 December last, to the best of my memory, which was thus:—Her Ladyship commanded me (in case it should please God to call her hence in this sickness,) to send her Ladyship's blessing to your Ladyship, my Lord, and all her grandchildren at Tracquair. To which effect my Lady express'd herself with most tender words, and in a very affectionat manner.

I take this occasion to eondole with your Ladyship for the great losse undergone, by being depriv'd of a most tender and affectionat mother, but at the same time hope that your Ladyship's comfort will soon follow, by the

¹ Dr. Oliver gives the following aecount of him :—"Hudson, James, born 17th June 1665; entered the Society at Bologna, 27th September 1689. After completing all the higher studies in Italy, and teaching Humanities there, he returned to his native country on the 4th June 1704. This Professed Father resided with the Earl of Nithsdale, and is deseribed in a letter of the 9th September 1712, as 'Vir prudens et religiosus qui suum munus omni eum diligentia obit, Multis utilis, omnibus charus.' Whilst superior of his brethren, he was apprehended in 1715, as chaplain to the nobelman above mentioned and committed to close custody. On his discharge he retired to Douay, where he died full of days and merits on the 14th May 1749."—[Collectanea S. J., by Dr. George Oliver, Exeter, W. C. Featherstone, 1838, p. 9.]

assurance many eye witnesses here, and I especially, can give of the happy circumstances that attended a most pious and Christian death. It is true we could never discover any certain proofs that my Lady apprehended death itself at this tyme, till the 4th instant, befor dinner, at which time I was call'd down, and her Ladyship thought fit then to be reconciled by confession, although about 2 in the morning of the 18th or 19th December she had communicated for privat devotion. The evening of the 4th, a severe fainting fit supervening, startl'd the doctor, and induced hir Ladyship to make me be call'd again, and to demand extreme unction, which I promis'd in due time. After this, being inform'd of the doctor's sentiments, I thought fit to administrat the Viaticum about 2 in the morning of the 5th, and finding her Ladyship's condition become still more dangerous, I gave extreme unction upon the 6th, between 3 and 4 in the afternoon. Both these sacraments wer received by my Lady with much piety and tenderness, and I found her wean'd from the world and resign'd to the dispositions of Providence. In the evening of the 7th, I had been twice to wait on my Lady, but returning a third time, about eleven at night, and hearing the doctor say to myself that he did not think my Lady would passe over that night, I then resolv'd to attend in the room, wher none else remain'd but my Lord, young Lady, and three servants, because my Lord judg'd a greater number not to be necessary. The agony was of some hours, but far from being so violent as I had seen it in some other. A great part of it was pass'd in short raving fits; in the intervalls, when presence of mind return'd, I suggested to my Lady some thoughts and acts of Christian piety fit for that juncture, with which her Ladyship showed herself sensibly touch'd. In one of these intervalls, having first dispos'd my Lady, I imparted for the last time absolution. The sweet name of Jesus was often repeated by her with an affectionat tone. Very few minuts befor breath departed, my Lady was perfectly in her sences, and at last, without struggling, her Ladyship expir'd, between 3 and 4 of the next morning, while I was actually reciting the usuall recommendation of the soul. Though I suppos'd this relation would move your Ladyship to tenderness, yet, madam, I have designedly inserted these particulars, because I judg'd that the knowing my Lady Dowager's Christian disposition in the last moments of her life, and her receiving all the necessary spirituall helps in due time, would be subject of comfort, seing all circumstances

wer such as your Ladyship could have uish'd to so good and deserving a mother. With all respect, I continue, Madam,

Your Ladyship's most obedient and most humble servant,

JAMES HUDSON.

184. LADY LUCIE STUART to [her mother, MARY COUNTESS OF TRAQUAIR.¹]

Paris, November 19, 1713.

DEAR MADAM,—It was not want of respect that keep me from writing to your Ladyship by Mr. Carnegy, but I thought it was better to delay it unto I could give a full account of every thing in this monestry. Wee have a good enough dayet, and the Nunes is very kind to us, espetially Mrs. Waldegrave,² to whom wee was particularly recommended by her Grace the Duchess of Pearth. All the fault I have to this house is, that they teach nothing but imbrothery, pittimetie, and making of purses, and if wee will learne any other thing wee most have masters. Dear madam, I am very sensible of the obligations I have to imploy my time well, if it were upon no other account but the great expences my Lord and your Ladyship is at, lett alone that of my own intreset, therfore I am resolved that when it pleases God wee return home, neather my Lord nor your Ladyship shall have reson to grudge the money bestowed on me. I know your Ladyship is not for our being shot up from seeing any company, therfor I wish you wou'd order some body here to take us out some times to retorne the visites that has been made us, for wee are here amongst Pencheners where wee see but very little civility, but, on the contrary, thy are most unkind to us, for which cause I will make all the hast I can to learne the Franch, that I may get soon from amogest them. I have just now receaved a very kind letter from the Duchess of Pearth. She has not yet been here, but

¹ From the following letter of Lady Lucie Stuart to her mother, the Countess of Traquair, it will be seen that she and her sister, Lady Anne, had been sent by their parents in the autumn of 1713 to Paris for their education. Part of their correspondence with their mother is here printed, for the purpose of showing the nature of the education then given to young ladies of a Catholic family, who were prevented by the penal laws from obtaining any other education than by private tuition. There is much that is amusing in some of their letters. It will be seen, also, that many of the nuns were ladies of the highest rank and station.

² Arabella, daughter of Henry first Baron Waldegrave.

as soon as her healt[h] will permitt her, she is to come and see us. Sister Anne is still a litle troubled withe the paine of her head and stomak. As for me, I am a little out of order, because what I used to have a great daill of, I have now non at all. Dear madam, I beg of your Ladyship to excuse the faults of this leter, for you know I have no body hear to help me. Sister Ann and I begs my Lord and your Ladyship's blising, and I am, with all respeeet, dear Madam,

Your Ladyship's most dutifull ehild and most obedent servant,

LUCIE STUART.

Madam Chrighton gives her humble respects to your Ladyship: she is lik a mother to us. Mrs. Briois is very kind, and wee give her out any thing we cannot do ourselves, and she does it for us. She is settled hear for this winter, with a sister who is wery well mared here, and she has a brother in Burgandy who has writ for her, but she will not goe to him. I was just now very much surprised when I was called to the parler to Mr. Maxwell, Muncheses son. He tolled me that he had a letter from his mother letly. He was just come from St. Germence, and that he was going 50 leges forther in the contray. He came on Saturday last, as is to goe away on Monday.¹

185. SISTER THE HONOURABLE ARABELLA WALDEGRAVE DE ST. PAUL
to MARY COUNTESS OF TRAQUAIR.

[*circa* 1713].

MADAM,—Tho' I haue not the honour to be known to your Ladyship, I hope

¹ In a letter, dated Paris, Jan. 1714, from Lady Ann Stuart to her mother, the Countess of Traquair, she says,—“As for visits, we have very seldom, except the Duchess of Perth, which came once, Madame Chriton, which comes very often, and is extreamly kind to us, and took my sister and me out to the Blue Nonis, which is the monastry where she stays, and my Lady Abbess and all the nones there was very kind to us. All the nones here was extreamly carefull of me during my sickness, especially Mrs. Waldegrave, which still continues.”—[Original at Traquair.]

In a letter, dated Paris, Jan. 16, 1714, from Lady Lucie Stuart to her mother, the Countess of Traquair, she speaks of the recovery of her sister Lady Ann. She begs that her stay in this country may not be long, for her health is very indifferent, and the air does not at all agree with her. She says,—“I think my sister rather inclines to stay longer. The letters your Ladyship had enclosed in mean was from the generale mistriss over the pensioners, and the first mistriss of

you will giue me leaue to assure you of my sencere estime and affection for your Ladyship's tow daughters, that we haue the honour to haue heare, and that I shall not faille to doe all that is in my power for ther satisfaction and improuement. The Duchesse of Perth, with whom I haue the honour to be very well aequainted, and that I mightly value, reecomended both my Lady Lucy and Lady Anne very kindly to me, but the are so deserueing, that the want no other recommendation but ther one good qualites, for it is impossible to know them without haueing a true estime and kindness for them. If the ware my one sisters I could not loue them better. I don't giue your Ladyship an aaccount of ther health, for Lady Luey will be sure to doe it. I will assure you that all the eare possible shall be taken of them, and that nothing shall be neglected to put [them] in the good disposition the should be in.

I am, Madam, your Ladyship's most obedient humble servant,

*S^r A Waldegrave ^{deyth}
Pauke*

For the right honorable the Countess of Traquair, at Eden[burgh].¹

186. MADAME CRICHTON TO MARY COUNTESS OF TRAQUAIR.

February the 10, 1714.

MADAM,—I doe not question but Mr. Cernegey delever'd my letter to your Ladyship: I also hopes for the honour of a line from yow, but I am uery glad our class, who is indeed very kind, and this is from Lady Waldegrave's daughter, who is a nune here, who takes all the eare imaginable of us. I obeyed your Ladyship's orders in what related to the Duck and Duchess of Pearth. They both return you their humble service. The news of seeing our brother this summere was very agreable."—[Original at Traquair.]

¹ Lady Lucie Stuart, again writing to her mother in the end of January 1714, speaks of the eare taken of herself and sister by the nuns. "Indeed, Mrs. Waldegrave was not only lik a friend but as a servant to us in time of my sister's sickness. As for the pensioners, they doe not eommand as much as they did, for I have now as much of the French tounge as can answer them again, for the French wants nothing but to be kept downe. The rest of our friendes is all at St. Germaines. Both the Duck and Duchess of Pearth has been very ill, but they are now, blissed be God, pretly well recovered."—[Original at Traquair.]

to heare by Lady Lucy that my Lord and your Ladyship is well. I sopose, Madam, you haue had aecount of Lady Ann's sicknes, and that she was treated by Doctor Magie. Booth he, and those whare she stais, perfitley well did thayr duty to her. But thow she is recouer'd, 't will be nescesar, for resons, that booth the ladys should be a litle in his care towards the spring. Thow 'tis not my inclination, Madam, to meddle with any person's affairs without being desier'd; yett the grate respect that I haue for your Ladyship, and theas deare ladys your daughters, which I have grate concern for, puts me upon my unyouseall custim, beleueing it proper for them to begin upon another footing then at present thay are. If thay continue whare thay stay, or goe to any other convent, thay must haue a woman to serue them, that can dres well, and larn them to doe it, and won that weill wash thayr small linin, or a nun intierly to wayt upon them, and a tier woman to larn them to dres, which will cost fifty crouns. Ither of those ways will be about equell expens, and canot be under 15 hundred liuers a yeare, beside cloths, and masters. Perhaps your Ladyship will think this a grate pention, but all sort of provision, booth for eatcing and wareing, is so excesciuey dcare, that 'tis imposable to haue what is proper for them at a lower rate, and those that is far beneath thair qualitic giues no less. The ladys likewise tells me, Madam, that you desire thayr stay shall be for tow yeare, and thayr masters the last 4 or 5 months, which time [is] uery short for larning: and it may ehanc that your Ladyship may call them sooner home, then at first you intended, so if you pleas to permitt thayr beginning with thayr masters, allthow you doc not alow them longer time then you haue allredy fixt, yett they may goe on pracktiseing, which will be still an improvement, and haue again thayr master a month or tow before thay goe. The ladys are so truly dutyfull and good, that they are uery willing to submitt to what ever your Ladyship thinks fitt; and if I can be any way yoursfull to them, you may be asuar'd, Madam, that I will doe them all the servis lise in my power, being with all respect,

Your Ladyship's most fathfull and obedeant seruant,

J. CRICHTON.

To the right honorable the Countess of Trequare.

187. The SAME to the SAME.

April the 16, 1714.

MADAM,—I re[e]u'd the honour of booth your Ladyship's letters ; and finds by your last you gott mine : and as you desier, Madam, the continuane of my small seruiss to theas deare ladys your daughters, I truly wish, for thayr sakes, I ware moor proper for it ; but in all I am capable, I asuare your Ladyship, I will no way be wanting with plesuare to serue what is so neare and deare to you ; nor had I bin thus long makeing a return to yoores, but Lady Lucy has bin uery ill with a grate eould, and soar throat, foorst twise to draw blood. Your Ladyship is much in the right, not to aproue tampering with young peple ; but this has bin reall nesesity, nor can they remoue till she is well, which I hope will be soone, being now much better, yett 'twill oblidge them to stay another half quarter, but thow 'tware intierly won I am perswaeded 'twill be no disaduantadge to the ladys, being now upon a footing fitter for them, conuersing with the grate pentiners, who are all persons of qualitie ; extream well bred ; and a jentile disereate seruant, that washis thayr small lining, and takes care of all els belongs to them, dresis in perfection, which thay haue grate nead of. The Ladys may larn of her without haueing a tier woman. Her wadgis is to be 110 liuers a yeare, but is taken only for half a quarter, till your Ladyship giues your farder orders. The house is willing to permitt what masters you pleas, rather then part with the ladys, which at first they would not. Heare is sevarall excellant eonvents neare whare I stay. Fain I would haue them in won of those, that I might be moor frequently with them, but am refuesd ; for most of thease prime houseis of late will take no grate, but all litle pensiners, and sum none at all. Others permits no masters. Heare is in abundans, but not eazey to gett what is eonueneant ; howeuer, wee shall find won by thayr half quarter is out. Shasmadie is full, but ware it not, it's unfitt for them, or any house that has English, till thay are perfit in the French, being youseall for young peple to like what is most ezey ; but they aduanc pretie well in the languidge, and likewise thee desineing ; beside thayr other woorks, which they folow uery close. Lady Lucy is macking a fine purs for my Lord, Lady Ann to your Ladyship, booth uery willing to obay all your cumands, and

very frugall in thair expencis. As for the Gipseys, thay'r not in voge with the qualitie as thay ware, but the ladys shall haue the best dancing master can be had, when yow pleac to giue orders ; and thay must take pains to pracktis what thay larn, and folow the example of those thay may profit by, which I frequently tell them. I am oblidge'd, Madam, to goc next weake to Rouen, 'twill be a month before I can return, whieh extreamly mortefics me for the deare ladys' sake, that I haue a true tender concern for, but thay are in uery good hands, that takes grate care of them. I will doe all I can to shorten my stay, and by the time I cum back, I hope for the honour to heare from you, with all your cumands ; so concluds, Madam, but with renueing my asuareanc to your Ladyship of my sinceritie and care, in all that posceble can lie in my power to serve thease deare ladys, and am, Madam, with all dew respect,

Your Ladyship's most faithfull and obedeant servant,

J. CRICHTON.

I intreat your Ladyship will make my respects exceptable to my Lord.

To the right honcrable the Countes of Trequare, Edienbrough.

188. LADIES LUCIE and ANNE STUART to their mother, MARY
COUNTESS OF TRAQUAIR.

Paris, April 23, 1714.

DEAR MADAM,—I eannot express the satisfaction it was to us to see our brothers, and to hear that all the family was in health, but in the mean time wee cannot forbear regrating the short time wee have to stay at Paris on severcle accounts. Your Ladyship may be will think that we desire to stay, because of the pleasure wee have of injoying our brothereses company, whieh, indeed, is a very great satisfaction to us ; but that is not all, for that would be supply'd by greater in seeing my Lord and your Ladyship at our retorne home. But what wee are afraid of is, that your Ladyship will not faind all the improvment that you expect in us, for every body admires that we have been sent over for so

short a time, but yett if wee had kept our health all the time, wee might have improved ourselves much more, for I am sure all the time we was at the Ursulens, we was not three monthes out of the infi[r]mry, so wee could but have but little audvantage there. And foir the three monthes we was at the Presentation, I need say nothing of that, beecause I gave your Ladyship a full aeecount of it when I asked leave to come hear. But for the six monthes wee have been here I have nothing to say but that wee had oeeasions of all sorts of improvements, but what can be expeeted in half a year. And now wee are beginning to know a litle of penting, and severle other things, but eannot finishe any thing without our masters, so the mony is lost that has been bestow'd that way, whereas if wee stayed to nixt somere, wee might perfect ourselves in it, and I am sure it would [be] for our advantadge every way, and wee eannot yet writt the French well: Therefore wee both humbly beges of my Lord, and your Ladyship, to consider this seriously, for wee can never have shoueh an oeeation again; for your Ladyship may be sure it will be a very great grefe unto us when we come home, and not to have my Lord and your Ladyship pleased with us. Wee are very seneible of the great expenees wee have been since we eame to Franee, but now wee are furnished with every thing, and if my Lord and your Ladyship is pleased to grant us our requist, wee shall only desire our penehen, and nothing else but what is abselutly neecessary. And to show your Ladyship that it is not for our diversion wee shall never desire to goe onee abroad out of the Monestray, for, indeed, we need not go out for company, since wee have so good of both French and Englishe at home. I understand by Mr. Carnegy that his coming over shortens our time here, beecause of the oeeation of going home with him, but if my Lord thought it fitt to lett us stay to nixt somere, there is oeeations of people of his profetion, for whom all the Seotes Coledge and Reverent Mother will ansuer for with a good desereet womman. But pray, dear Madam, exeuse us for being so earnest in desiring this, since wee do it out of a good motive, since it has been our sehefe study to please my Lord and your Ladyship, and shall conteneue to be the same to the end. I thought it my duty to represent this to your Ladyship, that I might have nothing to reproeh myself with hereaffter. Wee never would have presum'd to have begid this, had wee not been asur'd that we have the best of perents. I will end in wisheng my Lord and your Ladyship a happy Easter, with a great many others, which

is, and shall ever continue to be, the continually prayers of 'em who is, with all respects,

Dear Madam,

Your Ladyship's most dutifull childrin and most obedent servants,

LUCY STUART. ANN STUART.

Wee all bege my Lord and your Ladyship's blissing. Wee will be glad of en answer as soon as your Ladyship thinks fitt.

To the right honorable the Countess of Traquair, at Traquair.

189. LADY LUCIE STUART to her mother, MARY COUNTESS OF TRAQUAIR.

Paries, May the 1, 1714.

DEAR MADAM,—I am sure your Ladyship will be surprised to hear that we are not yet removed from this house, but I flater myself with the hops that your Ladyship will doe us the justice to believe it was not for want of good will to obay your Ladyship's eommands. But the reason was this : I had been very ill of a feaver all Holy Week, and when my quarter ended, I was searce able to goe up and doun the house, and affter I had abstained all Lent from both meat and eggs, I was forced to break it in the midele of Holy Week, but, blissed be God, I am now perfectly well recovered. Madam Crichton is gone to Rouene, but as soon as she returns wee are to remove. The house is alrady taken, but it is not St. Antoine, for the Cardenall will not allow 'em to take any more great peneheners. Wee have never yet seene Collonel Ratray's lady nor daughter, but this Madam Brooke, whom I menehen'd in my last letter to your Ladyship, is an Englishe lady, a great friend of Mrs. Waldgrave. I believe she is aquented with my aunt. I know of an oecasion to London with whom I will send Collonel Fountain's eye watter. Both my sister and I will send our purses with the same oecasion, and beges my Lord and your Ladyship to axeept of 'em. Wee have reeeived the thousand livers, and I put my name to the bill as thy desired me ; and I asure your Ladyship we are doing all wee can to improve our selves whill we are here, that my Lord and your Ladyship

my be pleased when wee come home. I am glad to hear that my Lord and all the famely is well, but I am in great fear that I will not see my brothers here this sommere.

My Lord Selkirk has not yet been here, but wee see frequently Mr. Basill Hamilton. I am sure your Ladyship will be surpris'd to see my ill writt, but I have been this month about writing this letter, and is glad now to gett it done any how. I will not trouble your Ladyship any more at present, but beges my Lord's and your Ladyship's blising to her who is, with all respect,

Dear Madam,

Your Ladyship's most dutifull ehild and most obedent servant,

LUCIE STUART.

Dear Madam, I am asham'd to have sent such ill writ to your Ladyship, but our masters, and other works which we are obliged to doe in the scooll, makes me not to have on minnet of time.

To the right honorable the Countess of Traquair, at Traquair.

190. LADY LUCIE STUART to her mother, MARY COUNTESS OF TRAQUAIR.

[May 1714.]

DEAR MADAM,—It is true I was much mortified when I saw your Ladyship was so positive for our leaving this house, for things is very much ehanged within this short time, wee are not so much with the little pencheners, wee lay in the Infirmary, which is in same apartment with the ladys in ehambers. We are much with them in the time of reereation, and the rest of the day wee are eather with our masters, or with the nunes of St. Germens, who is mighty well bread people, and takes great pleasure in teaheng us every kind of works, upon my aunt's aeccount ; for she was six years with them, and they have still a great kindness for her. Dear Madam, it is not for want of expearenee of your Ladyship's tender affection that keeps me from writing more fully, but when on most rise so often in time of writing as I doe, it is impossible to miend every thing. I ame very glad that your Ladyship has given us leave

to stay here, and I hop it shall be for our advantag, for we are alowed severle masters here, whieh we eannot have in any other plaee. I have not forgott the eye water, for Collonel Fountain's oun son is gon from this to London, and has taken sevrll bottles of it along with him, whieh he promised to send to your Ladyship as soon as he should be arived in London. I have sent likways my purss, with severl other things whieh Mrs. Waldgrave had given us. My sister and I beges [you] to aeeept of 'em.

I am mightily overjoyed to hear that my Lord, your Ladyship, and all my brothers and sisters, is so well in health, and I shall never feal to offer up my poor prayers to God for the eontinuation of it. It is not forgettfullness that has kept me from ansuering my brother's letter, but I have so little time now, that I am forced to lett it alone to the nixt post. Since your Ladyship will have me to name what wee would have, there is nothing wee have more need of then a tolerable head to goe out with, for wee have but each of us one, and we want another to ehinge with it. Therefor, if your Ladyship thinks fitt to send us one of thoesse that you have by you, thy will doe very weell for a monstray, and wee shall take a great care of 'em. There is another thing that I would gladly have, whieh is your Ladyship's silver elouhes, if you make no use of 'em. They would make us fine elouhes to goe out with in winter, when wee eannot wear our morning, and there is no fear of there being too litle, for thy wear a manto of one thing and the petti-eott of annother. Wee have just now gott blake elouhes for the Dueke of Berry, tho' agenest my will, but it was absolutly neecessery, for wee eould not be in Peares without 'em, sepesially wee that sees so much eompany. The Markess of Anendaill and my Lord Carnweath was to see us yesterday, and my Lord Ricartone and Mr. Basil Hamilton, and sevreal others Scot'es ge[n]tlmene, eomes likways, so that wee are never without visites. I have never seen the Duehess of Pearth but onee, beecause the Duek is so very tender that he is not able to travell. But I never writ but I put your Ladyship's eomplyments. I am getting new stayes, and perhapes your Ladyship will thinke it is too often euey 6 monthes. The man that makes 'em is very famuss. My paper will not alow me to say much more, only I asure your Ladyship, that I shall be always earfull to improve my time well, that my Lord and your Ladyship may not thinke you[r] mony ill bestowed at our retorne home.

I bege my Lord and your Ladyship's blissing to her who is, with all respect,
dear Madam,

Your Ladyship's must dutifull child and most obedent servant,

LUCIE STUART.

If your Ladyship thinks fitt to send the lace for our head clothes, 'em that brings it most take eare to hid it, for it is a thing that is forbidden here. Dear Madam, excuse all the faltes of this, for I have not the time to correct 'em.

To the right honorable the Countess of Traquair, at Traquair.

191. LADY ANNE STUART to [her mother, MARY COUNTESS OF TRAQUAIR.]

May the 16th 1714.

MADAM,—I hope your Ladyship's goodness will pardon me for being so longe out of my duty, in not retur[n]ing the answe of your Ladyship's last sooner, and in particluar, in not sending your Ladyship word when the bill of the thousand livers [was] payed, as your Ladyship desired. I would not have failed in obeing your Ladyship's eommands, but Mr. Innes told me that he had wretten when ever the mony was payed. I delivred also your Ladyship's letter to Mrs. Waldargve, and she has writ the answe of it with this post, which she stil continues in her kindness to sister Lucy and me in every oecation wherin she can do it. I was very sory to hear by one of sister Lucy's leter[s] from your Ladyship, and by severalls, of your express orders, to goe to another monstry, which was allways against my inclantions, for there is not a monstry in Paires wherin they teach more kinds of needlworks, which I hear severls say, that knows very well; and there is here allso in ehambers, severall persons and of quality, but yet was resolved to obey your Ladyship's eommands to goe to another monstry at the begining of this quarter; but sister Lucy haveing a cold and could not goe, and Madam Chirhton's being obliged to goe to Rowen, which put it of this quarter, but I am glade to hear since that your Ladyship inelines to let us stay for some time, particularly upon Mrs. Waldargve's acount, and this is allso to asure your Ladyship of my gratude for the

great expences my Lord and your Ladyship is pleased to bestow on us, which I am very sensible of, and I shall endeavor to imploy my time in endeavoring to please my Lord and your Ladyship as much as I can. As for works, we have learned the coly fishes, and to make purses; as for the peadmony we are a doing, sister Lucy and I, we have made two purses, one for my Lord, another for your Ladyship: sister Lucy has sent hers allready with severall things that Mrs. Waldgrave gave us, which they do not do in Scotland, which I beeg of your Ladyship to accep. My purse was donne at that time, but when I sent it to send it away, they had forgot to gave till occation was away; but I shall send it with the first occation. Since I recved your Ladyship's last, I have not seen the Duches of Perth, for she never came but once; the reason is the Duck is been ill this long time; as for Father Maxwell¹ and Father Fairfull² comes some times, but Colnell Ratray and [h]is lady is never come yet. My Lord Silerk is been in Pairs this long time [without coming to] see us as yet; but Mr. Basill Hamilton, and my Lord Carnwarth, and my Lord Richerton, which comes to see us. This is all which I know that I have acquainted your Ladyship diseres. I hope your Ladyship will pardon all this falts. I beeg my Lord and your Ladyship's blising. Madam,

Your Ladyship's most obbedent child and most humble servant,

ANNE STUART.

I am prety well, bless'd be God, at present, but is yet still troubled with pains.

¹ Father Maxwell, referred to in the above letter, was probably Herbert Maxwell, who is thus mentioned in the Register of Douay:—"16 Nouember 1668. Harbertus Maxuellus filius legitimus domini Maxuelli Baronis de Kirkonel in Gallouidia prope Newabbay et dominæ Agnete Laury natus annos 15 ad figuras missus est optimæ indolis adolescens. Supra 34 annos in aula Regis Jacobi VII. missionarius, egregius filius Societatis Jesu."—[Register of Douay, p. 180.]

D^r Oliver has the following notice of him:—"Herbert Maxwell. I meet with this Rev. Father at Douay, on the 10th June 1686; but about three months later he was appointed chaplain to Earl Melfort, the principal Secretary for Scotland, who had been recently converted with all his family to the Catholic faith. Further particulars I cannot collect. Probably he shared in the fortunes of his patron at the Revolution, who emigrated to St. Germain, and who died there in Jan. 1714."—[Collectanea S. J. by Dr. George Oliver, p. 17.]

² Father Fairfull is thus noticed in the Douay Register:—"1676, 3 Feb. Admissus ad contubernium David Farefole filius magistri Andree Fairefoul pseudo Archiepiscopi Glasguensis et Johanette Speire, est 30 annorum, laurea donatus Glesguone priuatim relegit philosophiam ad

192. SISTER THE HONOURABLE ARABELLA WALDEGRAVE to [MARY COUNTESS OF TRAQUAIR.]

May the 18, 1714.

MADAM,—I'm to sensible of the fauour your Ladyship does me, in leaueing the two young ladys, your daugthers, in this monastery vpon my account ; this is to giue you many thanks for it, and to assure your Ladyship that I will doe all that is possible for ther education, that you may not repent your leaueing of them with me. They haue very good dispositions to aduance in all that is fith for ladys of ther qualite to knowe, and ther are both very desierous to giue your Ladyship satisfaction in all things. The are very greatfull for your affection and zeale for ther good, and the will correspond to it, by imploying well ther time ; for my part, I shall neglect nothing that is in power to contribut to it, nobody being more sencerly then me, madam,

Your Ladyship's most obedient humble seruant,

S^R A. WALDEGRAUE.

193. WILLIAM FIFTH EARL OF NITHSDALE to [MAJOR MAXWELL at Terregles]?

Traquaire, May 21, 1714.

DEAR JAMES,—This is to inform you that wee came hear last night, and my sister will not part with us till Munday cum seven night, soc I desire you will cast yourself hear on the Saturday befor. You most give my service to young Lage, and borow his blake ponie to my wife to reede on, and Anderson

theologiam se disponit ; studuit duobus annis theologiæ, et tum ad novitiatum Parisiensem missus nunc implicita vota emittit et docet humaniora Duaii, procurator missionis."—[Register of Douay, p. 183.] Father Gilbert Inglesh succeeded Father Thomas Robæus as rector in November 1676.

Dr. Oliver thus refers to him :—" F. David Fairfull was certainly rector of the Scotch College at Douay in the summer of 1708. Eight years later I meet with him in Paris." Dr. Oliver, in the addenda, writes further in regard to this Father :—" David Andrew Fairfull, born in 1648 : At the age of 30 enrolled himself amongst the novices ; for a considerable period served the Scotch Mission, where he was twice apprehended, and long imprisoned. On the 2d of February 1697, was promoted to the rank of a professed Father. He was famed as a preacher : made many converts in Scotland and elsewhere, especially at Douay."—[Collectanea, Addenda, p. 1.]

with the chire. You may immagen our money is all exousted, soe if you can spare two or thrie pound, send it bake by the bearcr emediatly. I am,

[Your] affectionat friend to serve you,

NITHSDAILL.

194. MADAME CRICHTON to MARY COUNTESS OF TRAQUAIR.

July the 31, 1714.

MADAM,—I am perswaeded yoor Ladyship woonders at my silane, but my stay at Rouen was much longer then I intended, yett imposieble for me to leue it sooner ; but my asuereane of the deare young ladys, your daughters, being in the care of a discreat gentlewoman, a frend of mine, when thay went abroad, or to doe them any other seruiss, made me moor eazey in abeans then otherways I could haue bin, by the promise I gaue to your Ladyship, of my attention for them. Thay ware so well content at the Orselin's, when I left them, that thay ware mighty glad when your Ladyship gaue leue for thayr continuing thare. But at my return I found grate alteration, but no fault of thayrs, for thare was an election of a new Supereare, and all that ware in offis chaing'd, and the big pentinors gon ; so that the poor young ladys could stay no longer conueneantly thare. I haue bin at home neare this month, and ever sine indeuering, with Mr. Whytford and other frends, to gitt a fitt plase for them. All demands a very high pention, scares any under 18 hundred liuers a yeare for them and thayr woman, beside wine and furntuare, which none of those hoseis prouides, unles at the Urselins, and thare only for children ; and to hier but iust what is necessare will cost 40 liuers a month ; so we found the best way was to buy outright, and when the ladys goe home, wee shall take care to gett all sould to the best aduantadge wee can. Your Ladyship may say your daughters is at grate expenc, which I asuare you, Madam, canot be helpt, by recon of the exterordinares that has hapen'd, first thayr sicknes, then moorning for the Duke de Berry, and now thayr plenishing, and every thing at an excesiue dear rate ; heare is alls an order agains all Indean calicose, that who euer has them shall be fined 100 pistols. The ladys had eache of them won, which they can make yous of no moor, so has turn'd

thayr damask mantoes into night gouns, and bought litle ordinarie eoats to eoom thayr heads, and the like yours, to saue the other. As for the house thay are now in, thay are uery well pleas'd, and I hope fixt during the time thay stay heare. The Duke of Rishelew daughter is lady of it. Thar's many relidgius and pentiners of grate qualitie, and well bred, so the ladys canot fail improveing, if thay take eare to praektis what may be aduantasious to them; thay are truly good, and desierus to larn, thow apleeation is uery painfull; but thay doe improve in evry thing; however, madam, 'twill make them still moor asideus, if your Ladyship pleas, when you write, to bid them take grate pains and eare to eumpleat thayr education so soone as posieble thay ean; won woord to them is moor then a thousnd to sum yoong peple; for in my life I neuer saw childeren moor desirus to pleas parants then theas deare ladys are. Thay had thayr daneing master but to months, now he is gon; thay asuare me thay praetis evry day of his lecons; they haue allmost forgot thayr harpseeo[r]ts, so is uery desirus to renew it again; as for thayr desineing, thay wayt for an opertunety to send your Ladyship of thayr woork, whieh I am perswaeded, Madam, you will be well pleasd with, for evry won that has seane of it woonders thay are so much aduanet in so short time, whieh I hope thay will in evry thing els that ean giue my Lord and your Ladyship satisfaction. I would not a bin all this time without writeing, but I know, Madam, you expect me to give you a count of pertiekelers, whieh I could not doe while I was at Rouen, nor sine my retorn, till now thay were setled; but I will not be so long for the futuare, and shall be glad of the honour of a line from you. Being with all dew respect, Madam,

Your Ladyship's most faithfull and obedeant seruant,

J. CRICHTON.

I intreate your Ladyship permitt my most humble servis to my Lord, who I hope is well, for whome I have all dew honour and respect.

To the right honerable the Countess of Traquare.

195. LADY LUCIE STUART to [her mother, MARY COUNTESS OF TRAQUAIR].

Paires, August the 9, 1714.

DEAR MADAM,—I believe your Ladyship would be surprised, when you gott Madam Crihton's letter, to hear that we are gone from the Ursulins. It was indeed a very great trouble to us the leving of Mrs. Waldgrave, for I am sure we will never find such a friend amongst the Freneh ; but the reason why wee eame aw[a]y was, that at the Eleetions thy reformed there house so fare as to have no more great pencheners, becaus they say that thiere instetution was only for young ehildren ; but they did not thinke us big enough to goe away, therfore they ofered us a chamber, but would had us pay two hundered livers more then the lady did that was in it before, (but I was not at all su[r]prised at it, knowing so well the ummers of the Freneh, for they are sure never to spare the Englishes pursses); however, I thought it a thing very unreasonable, and therfore wee was advised to goe aw[a]y, since that all the eompany was gone. Wee are here in the Presentation, where there is but very few nuns, and very few pencheners, but what there is, is most part of quality. My Lady Abess is daughter to the Dueke of Riehelioux, who shows us a great daill of kindness, and with ass much sincerity as can be expected from a Freneh womman. I am sorry that wee could not eontinue without a servant, as wee desined when wee eame overe, but it was a thing impossible for us to doe, for wee had noe sister to doe anything for us, and it tooke up our time intirly only to keep our linnings right in order, for the way that they have of washing 'em tears 'em all to peaeis, and even wee have sometimes made our own beds ; for when wee had any thing for to doe, your Ladyship may be sure thy would always prefer there own contray peaple before us ; but I have larned to treades by the bargaen, which is the tailur tred and cobler, for I have many times mended my own shoos and pitieottes ; for I assure you, dear madam, that I doe all that I can to seave mony, and to improve myself by the expeneess that is lead out for me. As for the laced heads, everybody says they are much dearer here then in Scotland or England, because they are forbid : Wee will not gett a tolerable lace here under 20 livers an ele, and therefore I will wait an answer from your Ladyship, for wee have yett two months to be in black, for the morning is of

6 months, and that which is used for the Duck of Beery is ratsaintmere, which is almost like the padesoiet, only that it is not so glacé, nor has such a great grein, and the head eloths is of a fain plan muslin with freenges, and our mantoi sleeves is all hidd with long blake freenges. Wee was on Friday to see the Duehess of Pearth and her mistres ; they are both in perfeet good health, blissed be God, but is troubled to see thiere jurney stopt, for they ware to goe to drink watters that was hard by a frieand's house of theirs, who had sent his koche for 'em, but it was forced to goe away without 'em. Wee was very kindly received both by the Duchess and her mistres,¹ for when wee went to salut her, as the costom is, she mad us rise up and kissed us. She asked us a great many things about our eontray, and remembers perfectly well on both our grand mothers. She said she thought sister Ann very lik my Lord, and my[self] very like my grand mother.

I am very glad to hear that my brothers and sisters is well ; but I am very sory to hear that wee eannot have the pleasure of seeing our brothers this sommere. Our cousin, Mr. Bassill Hamilton, is alwayes asking for 'em, and was very sory when wee told him that thy ware not to eome so soon. The Earle of Selkirk and the Markis of Anendell was to visit us sine I had the honor to writ to your Ladyship, and would gladly have had us to an opera, but wee would not goe. Dear madam, the reason why I did not menchen any of our nightbourt ladys was, that I would not take the liberty in your Ladyship's letter, but since you alow me to give my servis to the Lady Horssbrough, and Mrs. Jennet, and how eles your Ladyship thinks fitt. It's true wee gott a present of 5 gennes each of us, but I did not know what it was till I was going to bed, that I found it in my sleve. He told us that he was asham'd to offer it us, but it was the affection he had for my Lord, and the obligations he had to the famely, that made him doe it, but beged of us not to speeke of it to any body, and if wee did not take it he would take it wery ill, and should be ashamed eather to speek to us or any of the famely agen ; he put it in my sleve without telling me of it ; I faling sike had forgot to look what it was, but in sheking of my night gown when I went to bed, I found it in a little pece of paper. Dear madam, I was alwayes resolved to tell your Ladyship of it, but not till I had comed home ; but

¹ The Queen Mary Beatrix.

I assure your Ladyship that our poket mony goes as fast away as the rest, it is very near done, for wee most treet the reast of the pencheners, when they treet us ; it costs 'em nothing, because they have their parentes that gives it them. For there is noe living in a convent without doing as the others does, and every thing being so dear, it costes us a great daill. I have a snofe box of my worke, which I am to send to my Lord with the first occasion, but I am sory that the box is not so fain as I could have wished, but my purss would not alow me to make it any better, but I hop my Lord will excuse it. Wee speek now prity well French, but for the English I don't know how wee can lerne to speek it properly, since we hear nothing spok but French. Wee goe sometimes to the English monestray, where Mrs. Lindsay's sister is, for they have been so kind as to gett leave from the Archbishop for us to come in within the house when we pleased ; they are all extreenly kind, but espeshely Sister Oglve ; she is very well, and is one of the first of the house, for she is mightly beloved of Mother Abess. Dear madam, don't speek anything of our stays when you writt to Madam Crihton, for I never spok of it to her, and if she hear of it any other way, she will take it ill that wee did not speeke of it ourselves. I gave your Ladyship's service to Mr. Whitford and Mrs. Innes, as you ordered me, for wee see always some of the Coledge every day. Dear madam, I hop yow will excuse all the blots and other faults in this letter, for I have neather the time to writt nor read it over agen. I most likways beg of your Ladyship to excuse me for my being so fammiliar in your letter in speeking of my treeds, but I assure you, dear madam, it is not that I have forgott the respect I ow to your Ladyship, for it is to make you laugh. My paper will not alow me to say any more, only I beg my Lord and your Ladyship's blissing to her who is, with all respect,

Dear Madam,

Your Ladyship's dutifull child and most obedent servant,

LUCIE STUART.

The Duchess of Pearth gives her humble service to your Ladyship, and I beg leve to give min to Mr. Haket and Mrs. Lindsay. I am sure this letter will weary your Ladyship to read it.

196. The SAME to the SAME.

Paris, September the 23, 1714.

DEAR MADAM,—It is imposible for me to express the joy I had when I was honored with your Ladyship's, and to hear that all the famely was well, for Mr. Innes had gott no word from Scotland since your Ladyship's last to me. Wee have indeed lost a very good friend of Mrs. Waldgrave, and wee are mightyly mistaken of this house, for when wee came here thy told us there was a great daill of good company, and that wee could learne every kind of works, but wee find neather the one nor the other. Your Ladyship bides us be sparing of our purses, but when you see our accountes since wee came here, am sure your Ladyship will be surprised, for the French pencheners has the confidence to come and borow of us sugger and wine, and never gives it us agene, and even there has been severle botles of ours taken out of the sallere by mistake for 'em, and when wee chale[n]ged it, all the house was agenest us. Wee are both very senceible of Madam Crihton's kindness, for I am sure she does all that lyes in her power for us. Wee have sent our boxes withe one Mr. Marchbanks, who goes streight for Scotland ; and I am surprised to hear that the thinges which wee sent before is lost, for there was one Mr. Gordon, a factur, who was to have gott 'em at London from Mr. Founten, therfor your Ladyship will please to mak inquire if that gentlman be come to Edinburgh. As for the leaces, I believe wee might gett 'em from Flanders if wee know what your Ladyship would bestow on them ; our morning is allmost out, and wee have only our satten clothes that wee can wear in winter, both when we goe abroed and at home, becaus we was forced to put the clothes that wee bought here into night gowns ; therfor, dear Madam, I assure you I do not aske without reason, and if your Ladyship know of any occasion to send us those that is lying by you, it would save my Lord a great daill of mony. We did practis our virginals, but wee had quit forgott the book, therfor wee have taken a master, as your Ladyship desired us. Wee give him 10 livres a month for each of us, and he is counted on of the best and chapest in Paris. Wee have given 50 livres for a spinett, because if wee had taken on by the month it wou'd have cost us much more ; wee will loos nothing by bying it, for wee will gett the

same prise for it when wee come away. Both my sister and I was very much concerned when wee heard of poor Mrs. Strachan's death, and wee pity her husband very much, for he's had a great lose. I am sory to hear that the partere is spoiled, but I hop it has done no damedge to the water works. I have obeyed your Ladyship's commands in regard of Mrs. Lindsay's sister, but I don't know how it is possible for us to larn to speak properly our oun laungadg in a French house, where wee never speeke but French; for altho' wee have leave to goe to both the English monestrayes, yet wee have not been in eather of 'em since the last winter; for I assure you, dear Madam, that there is nothing in the world which I know wou'd please my Lord and your Ladyship but what I would doe, lett it cost me what pains it would. Sister Ann has been troubled latly with her headeake, which has hendred her from writting, and she beges your Ladyship will excuse her for it; she is still in the same condition as when she came from Scotland. We both bege my Lord and your Ladyship's blissing, and I am, with all respect, dear Madam,

Your Ladyship's most dutifull child and most obeden humble servant,

LUCIE STUART.

To the right honorable the Countess of Traquair, at Traquair.

197. LADY LUCIE STUART to [JAMES CARNEGYP, Edinburgh.¹]

Paris, September the 23, 1714.

SIR,—I don't know what you will think of me for writting so seldom to you, but I hop you will do me the justice to believe that it was not want of greatitud for all your favours that has hendred me, for it was only want of time, but since I have more in this house, I will sertainly make amends. Wee know that you have been our frend one evry occasion, and wee are bothe very sencible of it, therfor wee make bold to trouble you to interceed with my Lord and Lady for us. I most tell you, Sir, that wee was mightyly mistaken of this house, for thy told us before wee came in that there was a great daill of good

¹ James Carnegy. This is probably the person who is thus mentioned in the Register of Douay:—"18 Septembris 1688, e Scotia huc venit. Jacobus Carnegy natus 20 annos ex patre Gulliemo scriba. Ivit Romam ubi factus sacerdos est in missione. Ingressus societatem, demissus, et factus sacerdos et missionarius in Scotia inimicus societati et in fine apostasiæ suspectus."—[Register of Douay, p. 187.]

company, and that wee would learne every kind of little works ; but I assure you it's so fare from that, that wee never see a living soul from morning to night but our selves, therefore you may judge how wee can improve in any thing here, and, besides, they are not at all civile to us. Sister Anne has kept her bed of the headeake for severle days togetther, and there was never of 'em had once the civility to come and see her, and I am sure the mony is lost that my Lord and Lady bestows in this house, and, as I know what will be expected of us when wee goe home, maks me the more earnest to be in a house where wee can improve ourselves. I dorst never propose an English monestry before, but since my Lady desires that wee wou'd learne to speeke properly our own laungadge, which is impossible for us to doe in a French house, which gives me some hops that our request will be granted. Therefore, Sir, wee both earnestly intreets you to speek to my Lord and Lady, that wee may goe to the Augustine nuns, where the best bred ladys in England has been bred, and where there is the best company, and best worke wemen in Francee. I know both my Lady and you will be for the Bleue nuns, as I would be myself, if I only considred my own pleasur ; but as I look to nothing but my own improvement, and how to please my Lord and Lady when I come home, maks me to pitch on the Augustins, becaus I know how much it will be for our advantadge, and, besides, there is no place at the Bleue nuns for us, and the penchen is much higher ; and there is at the Augustins a Seotes gentlewoman who is an nune, that is a great friend of ours, who would take all the care posible of us. I have spoke severle times in my letters to my Lady of a lady that is very kind to us, and that comes to visit us, she is there, and has a niece that stayes with her, who is rekened on of the best bred young lady[s] in Francee, besides a great many others, which I am sure wee could not but improve ourselves by the avantage wee'l have of ther good company. I believe you'l thinke me very chengable, but I can assure you it is not without reason, nor have I writt this without adviee, for I believe Mr. Whittford has writ to you on the same subject, and I bege of you, that as soon as this comes to your hands, to writ to my Lady, for wee have no time to loose, because wee have but a month of our quarter here, and to begine another, it would be loos-ing time and mony. If what wee aske be granted, wee can have no exeuse for ourselves if wee don't answer my Lord and Lady's expectation. I beg

pardon for giving you all this trouble, and I hop you will excuse it, for I thought you was the fittest to troust in such an occasion as this, knowing how much you have been our friend on all occasions, and I dout nothing but you will prove the same in this, and pray send us word how things goes, and you'll infinitely oblige, Sir,

Your obedent humble servant,

LUCIE STUART.

[On the turn down of this letter there is the following addition, apparently by Mr. Whytford :—]

SIR,—All I can adde to the lady's request is, that I was allways of the mynd they would never be content or welle settled untill they were where they now desire to be ; and it is a cruelty to refuse them, because they will be allways uneasy. Besides, they may learn their what works they please, a virginal master will be spaired, for their are 3 or 4 in the house that play as well as any master ; as for the Blew house, they have not such advantage, and their inclination does not leade them to it. I recomend to you what I wrote to Mr. Nele if any be sent over this tyme, lett my Lord and my Lady know it, to send what they please to the ladyes. All heir are welle and salute you. My respects to my Lord and to my Lady, and to all friends,

I am, dear Sir, all yours—

198. LADY LUCIE STUART to her mother, MARY COUNTESS OF TRAQUAIR.

Paris, October 23, 1714.

DEAR MADAM,—I dout not byt your Ladyship has heard or now of our going to an English monstray, and I was very sory that I could not stay for an answer from your Ladyship, but knowing how indulgent you have always been to us, and Mr. Innes aproving of it, I thought your Ladyship would not be agenest it, it beeng so very much for our advantadge ; for if wee had stayed there an other quarter, wee would have lost both our time and mony. Ther is no fear of loosing our French here, for there is more French pencheners then English, therefor wee have the advantadge of learning both langadges. I

[a]ssure you, dear Madam, wee are both mightyly well pleased here, for reverent mother and all the rest of the nunes is very kind to us, espetially on sister Houred [Howard,] who Mr. Carnegy knows very well. I can not express all her civilityes to us, and if your Ladyship would writ to the Superiour and her, thy would take it both very kindly. I am very glad that my Lord and your Ladyship is pleased with our purses, and it shall be my only study to pleas you in all other things. I hop our boxes will be come to your Ladyship's hand by this time, and I have begon a purss for Horsebrugh, as your Ladyship ordered me. I delivered my Lord and your Ladyship's compliments to Mr. Basill Hamilton, and he is to cary this to London, with some boxes I have sent to my sisters. I returne my Lord and your Ladyship many thanks for the mony you have pleased to order us to gett, and wee shall endeavour to manadge it to the best advantadg wee can. I am very glad to hear that all the famely is well, the continuation of which shall be the dayly prayers of, dear Madam,

Your Ladyship's dutifull child and most obedient humble servant,

LUCIE STUART.

To the right honorable the Countess of Traquair, at Traquair.

199. MADAME CRICHTON to MR. CARNEG Y at Edinbrough.

November the 18, 1714.

DEARE SIR,—I doe not question but you have hard of the chaing the young ladys has made, by whose aduise I know not, but I wish it may proue for thayr advantage, and I shall be satisfied ; what seruis I could doe for them was not out of an offisius inclination, but the dew honour I haue, and respect for my Lord, and cspetially for the worthy lady thayr mother, made me willing to oblidge, and with plesuare to serue, what is so neare and deare to her, and has bin so much the young ladys' desier, that they allways complained they could not se me often enough, repineing at our distanc, and frequently wishing to be whare I am, which was as much my inclination, yett was against it, because of thayr larning the French ; for I emagin my Lord and Lady might desine thayr stay perhaps about tow yeare, which may be sofsient, if well imploy'd,

for thay are no moor childeren ; so I did my best by counsell and indeuer to haue them gett the best exzample, and ware I not conuinct they would haue that in this house, better then in any els that I know, I would a bin the first should aposed their cuming to it : and thay being not plased whare thay was, and as I beleved in the same disposi[t]ion towards me, and likewise glad of sister Mary, that not only by inclination, but by oblegation upon her sister's account, would a bin uery servisable to the ladys, so I took an apartment for them, but to conceale thayr secret, thay tould me thay could not quett whare thay ware till thay hard from my Lady. Yett at the same time thay ware fix't, and iust upon goking to the other English house, which you may beleue was surprising to me, and mortefied moor for thayr sakes, then the afront thay had giuen to me. I treated them with the respect dew to thayr father and mother's childeren, and with an affectionate tendernes, as if thay had bin intierly mine, delighted to se them doe well, and mortified to when they fail'd ; but thayr suden chaing, and to cariey all thayr afaier with such priuecy, as if I had bin thayr enemy, has occation'd m[a]ny reflections from those that saw my way and concern for them. After I knew thayr desine, I askt how thay could deale thus by me ; they tould me thay ware sory I took it ill, but thay knew by yow that my Lady had no mind thay should goe to the Blew house, and she would not haue them contredickted ; so I haue no moor to say, but hartely wish the ladys may haue all the aduantadgis for thayr improuement that posieble can be ; thay haue taken a grate dale of care and solisited off me. I shall be uery glad to heare from you. I haue writt to my Lady Traquare, as for sertin she will tell you, and should be uery much mortefied if my Lady should think I haue made a falls step to her daughters ; in whateuer I fail, it has neuer bin to them. I beg, deare Sir, you will doe me the fauor to giue kind and hartely my seruic to my sister, to whome I thought to a writt at this time, but the frend that encloseis my letter to London is prest this moment to send thayr packitt, but I will write about ten days henc to her, and giues a milion of thanks for yoor kindnes to her, which oblidgeis me a thousand times moor then any fauor els you can doe for me, that am, with senceritie, deare Sir,

Yoor most fathfull humble seruant,

J. CRICHTON.

For Mr. Carneagey, att Edinbrough.

200. MADAME CRICHTON to MARY COUNTESS OF TRAQUAIR.

November the 18, 1714.

I HAD not bin so long giuing a return to the honour of your Ladyship's last letter, but I haue bin aboue a month uery ill, and truly mortefied I canot confirm what I writt in my last ; for at that time, Madam, the yoong ladys, yoor daughters, ware so well pleased with thayr house, that I then beleved thay would think of no other while they ware in this contrey ; for, as I writt to yoor Ladyship, I never knew peple haue a better repetation ; houeuer, it seames the ladyes found themselues not well treated, so could stay no longer thare ; but, in reallitie, Madam, thay doe not loue the French, which renders all things moor disagreeable. Upon this consideration, and thay being well aduanst in the langadge, gaue me a grate desier to bring them whare I liue, heare being uery good cumpany, booth Inglish and French, well boorn, and so perfittly well bred, that since I came to the house, which is neare fiae and twenty yeare, I neuer saw moor cupleate fine wemen then is in it at this time, which made me couitt the ladys to be with so good exzample ; and for oor Supereare, she has bin uery obliedging and mightely desierd thayr being with her ; and for Mrs. Liny's sister, she is much esteamed in the house, as she well deserues [to] be, a uery descreate, prudent, good woman ; and your Ladyship may iustly belcue would haue doon for the ladys all seruiss could posieble liy in her power, and for finer woorks of all sorts canot be made then is heare ; theas aduantadgis, Madam, I thought might be resonable for the ladys to like, and my constant concern and care would a bin redy to serue them, for I took no other plesuare but to be with them, or doe for them, which thay allways apeard to be glad off ; but I find thay are wery of it, for, without asking any aduise, or to tell me the least silable of thayr intentions, till thay ware resolu'd, and had tacken an apartment in the other Inglish house, which truly surprised me, knowing, Madam, that I haue faithfully perform'd the part of a frind, so never suspected the ladys capable of dealing underhand, espetially by me, that sought after nothing but thayr aduantadge ; and as I writt to yoor Ladyship, thay improue, which they doe in all thay larn, thow not so fast as I wish ; and seing those that I haue no intrest in at all, nor haue so good alowane aduanc moor, then the deare

ladys that I [haue] so grate a concern for, ocation'd me moor frequently pray them to consider thayr grate expenc ; and as you spare no cost to compleate thayr education, 'tis thayr oblegation to loos no time, not knowing how short thayr stay may be ; and at thayr return 'twill giue grate satisfaction to my Lord and yoor Ladyship, to se them cumpleat in all that's fitt for thayr qualite, and will be much for thayr honoor. But the apreheension of my impertunitie has frighted the ladys from cuming to me. So Mr. Whytfoord and Mr. Innes cumplyd to thayr goeing to that house, which I was against, for most of thayr pentners is in the scooll, which, in my opinion, that conuercation canot be so aduantaedgeus as those that's allredy perfitt in the best of education. Lickewise, your Ladyship knows thare's many things requisite to put young peple in mind beside dansing and musick, and such sort of things, in which I did my best evry way, and in the maner, madam, that's fitt for yoor daughters. And thayr the most condesendings tempers that euer I se, which makes me the moor woonder at thayr chaing. I would not truble your Ladyship with all theas pertickelers but to lett you know, madam, my way of proceading with them. But it apears the ladys likes nither my kindnes nor counsell, so haue made choys of a frend capable to giue them better then mine, which is a mark thay want me no moor. And as thay are gon to thayr content, I hope thay will serch after all ocations for thayr improuement, which I most hartely wish. Just before thay left the last house, Lady Ann was uery ill with the youseall pain in her head, was lett blood in the foot, which did her much good, yett the cause still remains, but I hope 'twill not be long. Booth the ladys are in good [health] at present. I shall be uery glad, madam, of the honour to heare from you ; and if in anything I can be capable to render yoor Ladyship seruiss, I intreate you will honour me with yoor cumands, and you may be asuar'd, madam, to find me to be, with all dew respect,

Your Ladyship's

Most faithfull and obedeant seruuant,

J. CRICHTON.

I intreat your Ladyship permitt my respects to my Lord.

To the right honorable the Countes of Treaquare, in Edenburogh.

201. MARY [GORDON] DUCHESS OF PERTH to MARY COUNTESS OF TRAQUAIR.

[St. Germain's], January 4, 1715.

To let yow see, dear madame, that disttance nor absence makes no alteration in ane affection as wele grounded as mine on relation and friendship, I haue beg'd your eldest daughter to adres this under her cover. She and her sister are exstreamly improu'd for the short time they haue been here, so as if yow can persuaide them to stay from yow ane other year, (whiche will be absolatly nesar,) they will be very accomplish'd, whiche I take the liberttie to give yow my advice in, as taking a great deall of interest in all that is yours; wherfor I hope yow will excuse my freedome. I supose yow heard that I broght your daughters to see my Mistres,¹ who receu'd them very kindly, as she mention'd ther parants with noc les regard, and I am charg'd by her to make both yourself and your husband her complements in the kindest maner, and to asure yow she will never forget so good friends. My husband giues yow both his service, and I imbrace all your children with you, and longs to see your sones here.—I am, dear madame,

Your most affectionet cosing and obediant humble servant,



To the right honorable the Countess of Traquair.

202. The SAME to [the SAME.]

August 17 [1715?]

MADAME,—I cannot let Mrs. Gordon return to your Ladyship without giuing to the Earll of Traquair and to your Ladyship my most humble thanks for the honour yow are pleas'd to doe me in inquiring after me, of whiche goodnes I am very sensabll, and if it wer in my pouer to render yow any servie, I think myself under great oblligations to doe it. I left Mr. John, your Ladyship's sone, in perfect health, and so muche aply'd to his excersices that noe bodie profited soe muche in so short a time, so that I am sure he will giue satiesfaction to all

¹ Mary, Queen of James VII.

conserned in him, but he would be glaid to haue a litll longer time allow'd him for his ryding, although my Lord Linttoun shuld come hoam this year, of whom my sone told me he hade heard a very advanttagious character in Ittallie, and I haue hade the honour to see my Lord Linttoun too, but doe not know him quite so particolarly as Mr. John. Giue me leaue, madam, to offer my most humbll service to the Earll of Traquaire, to my Lady Lucie and my Lady Anne, to imbrace the rest of the yong ladys, and to beg the conttinouance of your remembrance for on who is, with muche respectt, madame,

Your Ladyship's obedient humbll servant and affectionet cosing,

MARY PERTH.

203. WILLIAM FIFTH EARL OF NITHSDALE to WILLIAM VEITCH, Writer
in Edinburgh.

Terregals, January 10th, 1715.

SIR,—Munches heving comunicat your letter to me, with the memorandum inclosed, and after having considered it, I am of opinion that ther is two things in it that, were I in a much worse condition then I am, I would never consent to. First, after payment of the debts, the liferent dos not return to myself, but goes to my son, and I leave it to any body to judge whither it is not more reasonable he should depend on me, then I on him. But to the end that it may not be thought I intend to burden the estate after the debts allready contracted are payed, I am contented to restrict myself from contracting any further debts then what is contained in my son's disposition, which was all that was condesended on before my Lord Traquaire and Munches. In the second place, ther is a clause which sayes, after enumerating the different uses for which the rents are to be applyed :—providing alwayes, that the forsade applications of the rents, for the uses above mentioned, and payment to be made by the factor, be made conform to precepts to be drawn from time to time by the sade Lord T[raquaire] and M[unches,] or the persons that may be substitute to them, in manner above expressed ; and that he shall be oblig'd to retire discharges and instructions of the payment or assignations in case by the precepts he be so drected in the name of such persons as the precepts shall name, and deliver the samen to my Lord T[raquaire] and M[unches],

and be bound to hould compt to them, and that ther discharge shall be a sufficient exoneration to him, and no other discharge, except that to which they are consenters, shall be valid ; and declaring that, notwithstanding of their being the persons who are to call the factors to accompt, and grant them discharges, and isswe out precepts for directing the application of the rents, yet ther so doing shall import no obligation upon them, or mak them lyable for the factor's diligence or sufficiency, nor yet make them lyable or accomptable for the rents to the Lord N[ithsdail] or Lord M[axwell], or the tacksman, but allennerly that they shall be o[b]liged to deliver to the Lord M. and his heirs, in case the samen be demanded, what discharges or other instructions of the foresaids payments or applications they may have in ther hands at the time. This, or a greater trust if I had it, I would have no difficulty to put in my Lord Traquaire's hands, knowing him to be a man of so much honour and integrety, with all the other qualitys one would desire in a true an[d] sincere freind, (as, I am sure, he hes allwayes shewen himself to me.) But as it is a paper that will not die with me, and that posterity cannot be acquainted so well as myself with the singular worth of the persons intrusted, I cannot but be look't upon as a very weake person that could put my hand to such a paper. As to the skeme of the writting, it cannot be sposed I can give it you. All I can say is, that my intention is to restrict myself to the sum you are acquainted with, till such time as the debt is pay'd, which wee find to be in such a number of years, which, if any unfurseen accident hinders the so speedy performance off, the information will be a sufficient excuse to the persons intrusted to prolong the time, and the receipts of the debts pay'd will be a discharge. I have not write so fully to my Lord T., but refer'd him to your letter. But if the trust cannot be concieved mor according to my inte[n]tion, or in other termes then the memoriall you sent, I beg your speedy answer, that I may take other measures, in which you will oblige,

Your assured friend to serve you,

NITHSDAILL.

I have not sent you the memorandum, becaus, not writting for it, I suppose you have kept a duple. I forgot to tell you that I find no provision for my

anuetie which I can depend on for my subsistance. Send my Lord T[raquair]'s letter by ane express upon my charges.

To William Weiteh, writter in Edinburgh.

204. CHARLES FOURTH EARL OF TRAQUAIR to WILLIAM FIFTH EARL
OF NITHSDALE.

Traquair, 19 January 1715.

MY DEAR LORD,—I had a letter from William Veitch, telling me your objections to the memorandum about setling your affairs, and his answer, which receive from the bearer. I find by his to me all your scruples may be satisfied, and the method in generall take, which no doubt he hath write to your Lordship, only I'me affraid Munches, refusing to accept the trust, may oblige you to think on some other measurs; for it's not possible for me alon at such a distance to take that echarge on me. The reasons he gives me for his refusall I tell in his oun words:—"I beg your Lordship will excuse me from being concerned as a trustee, for if I be, I find it will disoblige my Lord's other friends, for they will think themselves slighted if I be named and not them, and so will occasion me many new enemies, and will give those that formerly said I was designed to ruine my Lord's familie, new grounds to talk and vent their malice." This is all he wrot to me. Perhaps he will tell your Lordship who those friends are that desire to be trusted, and if you find them reall ones to your Lordship and your familie, and capable, my opinione is you should employ them; and if they be not, I think Munches ought not to preferr their displeasure to the good of your Lordship's familie, and I have writen so much to himself. I wou'd have waited on you, my dear Lord, just now, to have tryed if I could have eontributed any thing to help to thourgh your good designes for the standing of the familie, but I ame necessitat to be in Edinburgh about Candlmass, to adjust measurs for sending my sons abroad, being resolved they should goe (God willing) about the beginning of Aprile. If you have any commands for me when in toune, let me know them, and they shall be obeyed by, my dear Lord,

Your most affectionat brother and humble servant,

TRAQUAIRE.

Your sister gives her most humble duty to you, and both of us to my Lady and Lady Ann.

To the right honorable the Earle of Nithsdail.

Annexed is the following letter from the Countess of Nithsdale :—

MY DEAR LORD,—I am most sensible of my obligation to you for your kindness in accepting of the trouble of my business. I have prevail'd with Munches also, and have desir'd he will send the skeme of the writing, and having told him my intentions, for as to the paper itself [it] is not to be expected I can word it. But I have sent an express with my leter that he may send him on to Traquire, to be there before your Lordship goes, that it may goe in with you, and expect it may be ready to come when your Lordship returns, after which I beg you to doe me the favour to step to my house to end the affair, that I would be glad were put to as speedy a conclution as posible, which I desire your Lordship will promote with W[illiam] V[eitch]. I shall be sure to come and wish my nephews a good journey before they goe, but hope before that time to have the honour of your Lordship's company here, and should be glad to know when you think your conveniency will allow it. I will not goe about to make excuses for trouble I give, but only assure your Lordship that, did it ever ly in my power to serve you, or you or yours, you might not only rely upon my willingness, but I should look upon it as a most singular satisfaction to have an oportunity of proving myselfe more effectualy than by words.¹

205. LADY LUCIE STUART to her mother, MARY COUNTESS OF TRAQUAIR.

Paris, February 5, 1715.

DEAR MADAM,—I writ to your Ladyship some time agoe, and inclosed one frome the D[uchess] of P[erth,] and since I sent on by my Lord Carnwath,

¹ It is evident from these letters that the affairs of the Earl of Nithsdale were then in a very embarrassed state. The letters show that the Earl made the settlement, which eventually secured to his son the family estates after their forfeiture, not, as has been often supposed, from the risk he was about to run in staking his life and fortune in the cause of his exiled Sovereign, but to secure himself against clamorous creditors, and a small annuity to himself for the maintenance of himself and family.

with a purss for Horssbrough, as your Ladyship desired. That letter that came within Mrs. Chriton's did very much disquett us both ; for, indeed, wee did not think that our carege towards Mrs. Chriton deserv'd a complent, for she knows in her own conescience that we told her the reasons why wee desired to be out of the Presentation, and she thought 'em very good ones, so wee desired her to looke for a monestry for us. Upon this she proposed her own : Wee told her that we was sory it was so fare out of the town, and very inconvenient for us that had masters, (for when wee proposed it to 'em, thy ask'd double price,) and if any thing could have tempt us to goe, it would have been her good company, but that I know very well your Ladyship would not have been pleased if wee had prefer'd our pleasure befor our advantage ; for at her house there is not above 5 or 6 penchoners, and not on of 'em gentelwemen, except it be herself and other two, and wee was never to converse with the nunes, for thy almost never speek to the pencheners. We are here in this house 126 persons, wherof wee are 66 seculars, and most part of quality, both French and English. So I hop your Ladyship will not blame us, being we did it out of a good desine, and with the advice of all our other friends but her. I assure your Ladyship it was never her corecting us that made us not goe to her house, for I don't remember that ever she told us of any thing in her life. But of all things I admire most how she can say that she know nothing of our coming here untill wee was settled ; for before ever we had spoke to the Augustins we sent Mr. Whitfoord to her, (we being ourselves both seke at that time,) to aske her consent to come here, which she refused : And to tell your Ladyship the plen truth, the reson was that she had promised to the superiour of the Bleue nunse (before ourselves) that we should never goe to any English house but to hers, and this is what has anger'd her. I hop your Ladyship will not think that I speek of these by way of complent, for if I had not been forced to justify myself, I was resolved never to mention it. However, as soon as I received your Ladyship's letter, wee both writt to her, and told her wee was sory we had offend her, asked her pardon, and beg of her to be friends agen. We sho'd 'em to Mr. Whitford. He say'd there could be nothing more kind and civile. He writt to hir himself, but indeed she has answered us all otherways then what wee expect'd. But if there be any other thing your Ladyship will have

us do to give her satisfaction, you will [be] pleas'd to lett us know the first time your Ladyship honours us with a letter, and wee shall do it very willingly. I am sorry, with all my hart, that I have offended eather my Lord or your Ladyship, and I beg you both a thousand pardons. I humbly beg my Lord and your Ladyship's blising for her who is, with all respeeet, dearest madam,

Your Ladyship's most dutifull child and most obedent servant,

LUCIE STUART.

I had almost forgot to tell your Ladyship that my Lady Mary Cerell¹ is in town. She comes very often into this house, and she is very kind to us when wee goe to see her. I dout not but your Ladyship has heard of her brother's, my Lord Seaforth's, maredge, with on Mrs. Kennet. She was formerly a penchener in this house, and it is not long since she went away. Thy say she is very rich, but is not on of the best youmer'd in the world. I presume to give my humble service to all my brothers and sisters, and I am very glad that my sisters is pleased with ther boxes, and I beg leave to give my service to the Lady Horsbrough and Mrs. Jennet, and to any other that your Ladyship thinks fitt.

To the right honourable the Countess of Traquair, at Traquair.

206. CHARLES FOURTH EARL OF TRAQUAIR to [WINIFRED COUNTESS
OF NITHSDALE.]

Traquair, 15 March 1715.

MADAM,—I was very much surprised when I read the letter your Ladyship honoured me with, to find I was aeused of being the ruin of your familie at this tyme. I wish they who have said so of me had done as much for the support of it as I have done, tho' I must say I have had little thanks for my pains. Now, madam, I beg leave to vindicat myself by informing you of what was communed betwixt your Lord, Munches, and me at Dinwoodie. They told my Lord would restrict himself to 500 lib. yearly, and the rest of his rents was to goe to pay his bygone and currant annualrents, if I wou'd accept of being a trustee, to see the rents applyed rightly. I made some diffi-

¹ Lady Mary Mackenzie, daughter of Kenneth fourth Earl of Seaforth, married John Caryl, Esq.

cultie, but when Munches asured me it was only the way to hinder my Lord to contract more debts, and preserve what remained of the estate, I readily condescended, but at the same tyme proposed, if any of the creditors ask'd ther principal sums, what was to be done in that case, for I wou'd never ingage myself for payment of them. Munches answered, he thought ther was non but wou'd delay seeking ther principal sums, if once they saw sure methods taken for paying anualrents, and the management of the fortune in such hands as they could relie on, and he was particular to read over the list of debts, and said my Lord and he would prevaill, he believed, with them all, except on Macolme, who I was to pay. So upon this scheme lawiers were avised, and ther oppinion given. My Lord made some objections to the information which were to be yeilded when the paper was to be extended, and I intended to have come and waited on your Ladyship and him to see all things ended, but being obliged to send my sons sooner abroad then I intended, hindered me. This is the matter of fact, and till I went to toun, [and] that Mr. Veitch told Keltoun was pressing both for his annualrents and principal sum, I knew nothing but all was to be done as was agreed on; and afterwards I had a letter from Munches, desiring me to ingage for 4000 lib. Then, indeed, I desired Mr. Veitch to writ to him I could not doe it, nor could it be expected from me, who has my oun diffi-culties to wrastle with. I beg pardon for this trouble, and hopes after Easter to convince both your Ladyship and my Lord that ther is non in the world wisheth your familie better, nor will doe more for the standing of it then, madam,

Your Ladyship's most faithfull humble servant,

TRAQUAIRE.

207. CHARLES LORD LINTON to his mother, MARY COUNTESS OF TRAQUAIR.

Calais, N. S. Aprile 1st, 1715.

MADAM,—Mr. Carnegy gave your Ladyship an account of our safe arrival at London, where we had occasion to see King, Prince, and Princess, with the Turks and the rest of the Court, with the Tower and St. Paul's Church. Lord John Drummond carry'd us out to Kingsinton, and to the ring in Hyde Park,

and my Lady Marquis of Seaforth to the playhouse. Finding every thing at London very deer, for example, Mr. Jedeon Murray's wife and others told us that the Holland which we cou'd have bought in Scotland for five shillings, wou'd cost us eight shillings there; so we bought only a few stockens, gravats, ruffles, and handkercheifs, and gloves. And wee hearing that their was robbing upon the road, (tho', God be thanked, we came to no trouble,) Mr. Carnegy thought fit to take up no money from Mr. Middletone, but to make use of his own, and borrow from us, which he will repay at Paris. So wee left London on Friday, and came to Dover on Saturday's night, where we mett rather with tygres than Christians, every one striveing who wou'd cheat us most. Therefore we willingly embraced the occasion of a passage boat going over next morning, and arrived here last night, where we must stay till Thursday's morning for the Paris coach, and how soon we arrive there, either my brother or I shall writt again. I presume to offer my humble duty to my Lord, with my service to all my sisters, and am with all due respect, madam,

Your most dutyfull son and most humble servant,

Linton

To Mr. Lindsay, to the care of Mr. M'Iver, Vintner, upon the south side of the street above the Cross, Edenburgh, North Brittain.

208. THE HONOURABLE JOHN STUART to [his mother, MARY COUNTESS
OF TRAQUAIR.]

Paris, 17 April 1715.

MADAM,—Immediately after my brother's letter was put in the post house in Calais, wee mett with the Earle of Errol, who was verie kind to us, as was Mr. Monerief and Captain Carron, whom wee saw all in Calais. When wee was waiting upon the Earl to the packet boat, wee saw Mr. Prior go into the same. This Mr. Monerief was condisciple at the Colledge of St. Andrews with my Lord, for which he was very kind to us. Wee departed from Calais next morning, and came hither upon Wednesday last, since which wee have missed onlie one post, being unwilling to write till wee gave your Ladiship account

that wee saw our sisters in good health, and that wee continue ourselves to agree verie well with this air, as wee have reason to thank God that wee were verie well all our journey, except that all three were sea sick betwixt Dover and Calais. The companie that wee had betwixt Calais and this in the coach were somewhat debauched, for which Mr. Hall was verie well pleased that wee did not understand all they said. Wee are so busie buying books to begin our studies, and taking off cloaths and other neecessaries, that I have not time to write this over, therefor I hope your Ladyship will pardon the interlining and bad write. My brother and sisters join with me in offering our dutie to my Lord and your Ladyship, with our service to our sisters att home. I have time to add no more, but that I am, madam,

Your Ladyship's most dutifull son and most humble servant,

JOHN STUART.

For Mrs. Young.¹

209. LADY LUCIE STUART to her mother, MARY COUNTESS OF TRAQUAIR.

[Paris, 8 May 1715.]

DEAR MADAM,—I would not have troubled your Ladyship at this time, but seeing your Ladyship so positive for our coming home, I thought myself obliged to show you that I have some thoughts of setling in this house. But it being a thing that is not for a year or two, but for all my life, it requires some time for consideration, which I hop my Lord and your Ladyship will please to grant it me. I would not have spoke of it so soon, till I had been resolved, but seeing that I most needs leave this place, I am afraid of exposing myself to the temptations of the world. I have taken no resolution yet, and has only some thoughts that way, nevertheless, I hop my Lord and your Ladyship will have the goodness to give me some time longer here. I know I have the best of parents, who never refus'd us any thing for our temporall advantage, so I have much more reson to believ that they will not refuse me a thinge that is so much for the advantage of my soule. I will not trouble you

¹ This letter is addressed to Mrs. Young, a name assumed by the Countess of Traquair in her correspondence after the rising in 1715, but why her son should direct to her under that assumed name before that period is not explained by any of the contemporary letters.

with any more at present, but to beg my Lord and your Ladyship's blessing for her who is with all respect, dear Madam,

Your Ladyship's dutifull child and most obedient servant,

LUCY STUART.

To the right honourable the Countess of Traquair, at Traquair.

210. WINIFRED COUNTESS OF NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

Tereglis, July the 21, [1715.]

I SHOULD not have difer'd so long, dear sister, the returning you my humble thanks for your most obliging letter of the sixth instant, but that I thought this oportunity would make it more aacceptable. As to my health, I cannot well tell whether it is better or noe, for tho' I am easier of my pain, yett I am scarce a day well. The cause of the delaye of my iourney was only to see my poor girle wean'd, whom my Lord would not be prevail'd with to have done in my abeence, and I was loath to lett her suek longer than her 12 month, so it was noe way on the reason you imagined, for tho', if I were well in health, I might perhapes have some such thoughts, my continuall indisposition makes me sometimes ill in one way, and sometimes in another, which has made me take care to conceal any reasons, that others who knows not so well my circumstances as myself, might have to belceve me so. For such reports, if false, I doe not care for, which makes me beg the favour of you not to take notice I have the least reason to have such a thought. I forgot to tell you my poor girle frighten'd me out of my witts with her teeth, and her tongue was so blister'd that she wean'd herself, and, God be thanked, takes very well with it. I hope all your little family is well, and wish you a hapy hour and increase to it, and am,

Your most affectionet sister and very humble servant,

W Nithsdale

My Lord presents his humble servise to you, and both of vs to your Lord. I suppose he will see you before he returns, but the heast he was in about his buisness hinder'd him from being able to goe that way.

211. WINIFRED COUNTESS OF NITHSDALE to CHARLES FOURTH EARL
OF TRAQUAIR.

Tereglis, the 9th [Dec. 1715.]

MY LORD,—I send your Lordship, by Mr. Lindsay, a receipt in the terms that he judged the most efficacious, till I meet my Lord, from whom I will procure one, if you please. I can [not] sufficiently express the sence I have, and gratitude I feel, for your kindness on this occasion, which shall never be forgott by me. I received a letter from my Lord of the 27th of the last month, from a place call'd Midlewatch, whercin he sayes he is well, but his money is falen short, and desires me to get somebody to meet him at Barnet or St. Albans with a recrute, but sayes he will be there on the 10th; so it came to late for me to be able to doe it. He heastens me anew, for he sayes they expect than to be close prisoners, and will have nobody to doe any thing for him. I am truly sory I can be noe sooner, but am sure I have lost noe time since I had notice. I have, by means of your Lordship, dismissed all my servants, but the greve and byer woman, and intend to agree with the gardiner's wife to keep fires from time [to time] in the house. I have obtain'd of Coracon¹ to oversee the greve, and told him to doe nothing without his orders, so have as near as I can follow'd your Lordship's advice, which I am noe less oblig'd to you for, than for the other help you have given me. Both the one and the other are above my acknowlegment, but shall never be forgott by, my Lord,

Your Lordship's most faithfull humble servant,

W. NITHSDAILL.

My most humble service to my sister, and all the young family. Mr. Lindsay has been most obligingly carefull of me, which, if I dared, I would beg your Lordship to thanke him for, till I am in circumstance[s] to acknowledge my obligation to him more efficaciously. I beg your Lordship will excuse my distracted letter, but my head is so full of thoughts, and my heart of trouble, that I am vncapable of any thing.

For the Earle of Traquair.

¹ Mr. Maxwell of Carruchan.

212. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

Newcastle, December the 15th, [1715.]

DEAR SISTER,—This, according to my promis, is to lett you know that I am safe thus far, but have got no places, so am forced to goe on horseback to York, where I have as litle hopes to get any, but met a gentleman that will be there a night sooner than I can, and will secure any that is to be had, if not hire horses for me to London, which long journey on horse back I wish I may be able to vndergo without stoping. I am sure nothing shall be wanting that I am able to doe to loos noe time in waiting on my Lord, whatever fatigue it coasts me. I am much oblig'd to Mr. Lindsay for his care off me, and solicitude about my daughter's journey, which I hope arrived in good health. To any but yourself I ought to make an excuse for the trouble I give you in her, but I am too well convinced that she is wellcome to make an appologie. Your other favours and your Lord's at this time give me leave to pass over in silence, since I can not express my gratitude, but beg you to believe my heart is full of it, and that I shall alwise be, with the utmost sincerety, dear sister,

Your most affectionat sister and very humble servant,

W. NITHSDAILL.

My humble service to your Lord and all the young family, and my blessing to my dear litle one.

For the right honorable the Countess of Traquaire, att Traquaire.

213. The SAME to the SAME.

Stamford, December the 25, [1715].

I AM to well convinced, deare sister, of your concern for me, not to comply with your desire when we parted to let you heare from me. Accordingly I writ to you from Newcastle, which letter I suppose you have received. In it I acquainted you with my missing places, so was forced to goe a horseback to York, which I did, and gott well thether. At York, by the civility of a gentleman, he pro-

Stamford December y^e 25th

I am so well convinced Dear Sister of your concern for me, not to comply with your desire w^{ch} we parted to let you hear from me, accordingly I writ to you from Newcastle, w^{ch} Letter I suppose you have received, in it I acquainted you with my missing places, so was forced to go a horseback to York, w^{ch} I did, & got well thither at York by y^e civility of a Gentleman he procured me a place for my selfe alone, but was forced to hire a horse for Evans, but y^e ill weather, ways, & other accidents, has made the coach not get further than Grantham, w^{ch} is 15 miles short of this, & y^e snow is so great y^t it is impossible it should stir till some change of weather, upon w^{ch} I have againe hired horses, & shall goe y^e rest of y^e journey on horse back to London, tho y^e snow is so deep y^t our horses yesterday was in several places almost buried in y^e snow, it being such a day I could not stir, but to morrow shall set forward againe, I must confest such a journey I believe was scarce ever made considering y^e weather, by

a woman but on earnest desire compassed a great deal
with God's help, & I may say y^e delays & stops I have
unavoidably met with do my more speedy performance of
it, has been by far y^e greatest difficulty I have had, tho^{ugh}
I had known w^h I was to have gone through I should
have doubted whether I was able to have done it, how-
ever if I meet my D^r & w^{ith}, & am so happy as to be
able to serve him, I shall think all my trouble well repaid.
I think my self most fortunate in having comply'd with
y^e kind desire of leaving my little girl with you, had
I had her with me, she would have been in her grave
by this time with y^e excessive cold, I shall never forget
my obligations to you & y^e on y^e & many other accounts
in this juncture, w^h will ever oblige me to be with all
sincerely

Y^r Sister

my humble service Your most affectionate
to y^e & to all my Nieces, Sister & very humble servants
& blessing to my little W^m N^{at}l^l M^{ill}
me I have had y^e benefit
of y^e coach from York but
2 days & a half

For
The Hon^{ble} The Countess
of
Tragunair

Trayuan

cured me a place for myselfe alone, but was forced to hire a horse for Evans, butt the ill weather, ways, and other accidents, has made the coach not gett further than Grantum, which is 16 miles short of this, and the snow is so great that it is impossible it should stir till some change of weather, vpon which I have againe hired horses, and shall goe the rest of the journey on horse back to London, tho' the snow is so deep that our horses yesterday was in several places almost buried in the snow, it being such a day I could not stir, but tomorow shall set forward againe. I must confess such a journey I beleeeve was scarce ever made, considering the weather, by a woman. But an earnest desire compasses a greate deale, with God's help; and I may say that the delays and stops I have unavoidably met with to my more speedy performance of it, has been by far the greatest difficulty I have had, tho' if I had known what I was to have gone through, I should have doubted whether I was able to have done it. However, if I meet my dear Lord well, and am so hapy as to be able to serve him, I shall think all my trouble well repay'd. I thinke myself most fortunate in having comply'd with your kind desire of leaving my litle girle with you. Had I had her with meshe would have been in her grave by this time with the excessive cold. I shall never forgett my obligations to you and your Lord, on that and many other accounts in this juncture, which will ever oblige me to be, with all sincerity, dear sister,

Your most affectionet sister, and very humble servant,

W. NITHSDAILL.

My humble service to your Lord and all my neices, and blessing to my litle one. I have had the benefit of the coach from York but 2 dayes and a half.

For the right honorable the Countess of Traquaire, Traquaire.

214. CHARLES LORD LINTON to [his mother, MARY COUNTESS OF TRAQUAIR.]

Paris, February 1, 1716.

DEAR MOTHER,—Three days ago I received, to my great satisfaction, yours, dated December 19th, wherein you seem to complain of my not writting more

frequently than I do. But the reason of my silence for this some time by past was because that the frost was so violent for these three or four last weeks that the packet boat cou'd not pass for ice, so that I was obliged to abstain from writting till the passage was free. My brother and I have kept our health perfectly well all this winter, tho' it was one of the coldest that has been these many years, and are very well pleased with the house that we are in, for they are all extreemly civil and obligeing to us. As for the diet, first when we enter'd we were resolved to order a dish more for us if we thought the ordinary diet too little, but we are now so sufficiently satisfied with it, that we thought it was but needless to add any more. If I shall take any of the two hundred pounds sterling which you mention, I shall be sure to observe your orders in takeing it at such times when the exchange is low, but perhaps I'll gett money elsewhere at an easeier rate than what any banquier can give me. I am heartily sorry to hear that so many of my good friends and acquaintances have had the misfortune to be engaged in that affair of Preston, and particularly for my uncle.¹ But at the same time I cou'd have no greater comfort than to be assured that Mr. Young² was not there. Be pleased to offer my most humble duty to my dear father, and give him the enclosed bill of five hundred and eightie six pounds fifeteen shillings Scots, the equivalent of which I have received in French money, to witt, six hundred and fifety one livres seventeen sols, getting the livre at eighteen pence. I have likewise another bill to send of 664 livres, of which 600 is for our pension, the other 64 is what I borrowe[d] before I gott any money from Mr. Gordon, banqueir. I hope henceforth the exchange will be much lower, since now the new crown is at five livres. I shou'd be glade to know whither you desire that I should send home my accounts now, or differ the sending of them till more peaceible times. However, I have thought it wou'd not be amiss to sett down in generall how much I have spent from the 24th Juin last, the time that I took the accounts in my own hands. I hope Ned³ will now pay his debt. I wish I cou'd be a wittness to the paying of it. Mrs. Arther,⁴ your uncle and ant,⁵ are all in perfect good health. I need not mention any thing as to my studys, since the method is the same as before, and will continue till after Easter, unless my father give contrairy orders.

¹ The Earl of Nithsdale.² The Earl of Traquair.³ Lord Edward Drummond.⁴ The Queen.⁵ The Duke and Duchess of Perth.

Dear mother, take the trouble to give my service to all my sisters, particularly to my two eldest, and tell them that their friends here are very much concern'd about them ; and that poor Mrs. Brooks is so dangerously sick that it is scarce belived that she can recover. I hope you will do me the satisfaction to let me know in your next if William Seaton is recover'd.

I am, with all sincere respect, dear mother,

Your most dutyfull son and most humble servant,

Ch: St.

215. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

London, February the 4th [1716.]

I HOPE you will excuse, deare sister, my having been so long without writing, which, by the way I now doe it, you will find has been as soon as my weakness, after so violent a sickness, could permitt. All the comfort I had in it was that, all the while I lay ill, had I been otherwise, nothing could be done for my Lord during that time, nor can yett, till after next Thursday, when 'tis suposed sentance will be past against them. God Almighty help vs, and send vs success after. I am in such a distresed way, that I can say nothing of what fills my heart with gratitude, your extraordinary kindness to my litle girle, the greatness of which, Mary sends me word, is beyond expression. May God Almighty repay what is not in my power on that account, but hope you will be so just as to beleeve, that tho' my tongue and pen falls short of expressing what I feel in return of your kindness to her, yet that and your other favours are so deeply engraven in my heart, that the remembrance shall never be bloted out but with my last breath.

I have venter'd out this day to see a freind of yours and mine, whom now and than by favour I gett a sight of. He is well, God be thanked, and cannot sufficiently acknowlege his obligations to you and your Lord for all your favours, and the kindness you show his litle daughter in a perticular manner. My heart is so full I can say noe more at present, but beg pardon for this abrupt end, and that you will beleeve me, more than I can express, deare sister,

Your most affectionet sister and very humble servant,

W. NITHSDAILL.

My humble service to your Lord and all my nieces, and blessing to my deare litle Anné. My Lord gives his most humble service to your Lord and you, and all the young family, with his blessing also to the child. I forgott [to] tell you that just before I fell sick, I was at the prison and saw Kerkhouse, who was very well. I call'd for Wells, but some thing or other hinder'd him from coming just than, and I was forced to goe without doing it, but the others told me he was well.

For the right honorable the Countess of Traquaire, att Traquaire.

216. The SAME to the SAME.

London, February the 18th [1716.]

THO' I am very unfitt, deare sister, to write in the condition I am in, which Mr. G. gave you an account of, and dare not repeat the malancholy occassion. I have done all I can since, and on Munday last I found a way to deliver a petition of my Lord's to the K[ing]. What effect it will have I know not, but I am sure I have left nothing vndone that was in my power, and this night am going in to him, where, if I am not permitted to stay in the night time, shall take a chamber hard by, and goe in to him every morning, and stay all day, for till there is some alteration more in his circumstances, nothing can be done. But for feare I should be confin'd not to goe out, if there be any thing can be done hereafter, am resolved to ly out, if they doe not promis to lett me out when I please. But whether I am to lye out or in, shall take care he shall not be imposed on, as hitherto he has been, being forced to trust to their buying every thing he wanted for diet or other necessarys. My son is well, and going over the watter as soon as we can get a conveniency.¹ Sir G[eorge]² has been truly kind to him, and gave wherewithall to discharge what was owing for him, and likewise what was necessary for his journey, and furnished him a very handsome suit of cloths. I cannot tell what excuse to make for my Lord's taking up another hundred pounds vpon your Lord's credit, but I knew nothing of it

¹ Lord Maxwell, who went to the Continent for his education.

² Sir George Maxwell of Orchardtown, Bart., who married the Lady Mary Herbert, then Viscountess Montagu. He was her third husband, she having married, 1st, Richard Molyneux, eldest son of Caryl Viscount Molyneux, who predeceased his father, s.p.; 2d, Francis Brown, Viscount Montagu, who died in 1708, s.p.

till it was done, for he has been already so generous, that I am quite out of countenance about it, but I am sure nothing but absolute necessity could have obliged him to it, so I hope he will excuse it. I am sure he nor I can never sufficiently acknowlege the favours we have received from you. May God be your reward, and the prayers of the afflicted shall never be wanting for your prosperity and hapiness, both in this world and the next, as becomes, deare sister,

*Your most affectionate
 Sister & obliged humble servant
 W. NITHSDALE*

My most humble service to your Lord and my deare nieces, and blessing to my litle one.

For the right honorable the Countess of Traquaire, to the care of Mr. William Vcitch, writer, in Fosster's Wind, in Edenbrough, Scotland.

217. The Rev. J. SCOTT to MARY COUNTESS OF TRAQUAIR.

The 21 of February 1715-6.

MADAM,—'Tis with the utmost grief I find myself oblig'd to write so often to your Ladyship on so mournfull a subject. It is a task I neither could nor would undertake, if I were not fully convinc'd of your piety and perfect submission to that Providence whose judgments are righteous and orders always just, and who disposes all things for the greater good of his elect. In my last I gave your Ladyship an account of the fatal sentence pronounced against the six Lords who had pleaded guilty. Their submitting themselves to King George's generals att Preston to avoid the effusion of Christian blood, their acknowledging themselves guilty, and their imploreing mercy, has availed them nothing. The warrant for their execution was signed on last Saturday, and the day appointed for them to dy is next Friday. My tears make me stopp here. I wish I could stopp, or att least mitigate, your Ladyship's! The only comfort I have myself, or can give your Ladyship, is, that my dear Lord has receiv'd this dreadfull sentence with an angelicall resignation to the holy will of Almighty God, in whom he hopes to find a mercifull Redeemer. As he lookt on his confinement as a favor from Heaven, so he

has made a most Christian use of it, passing the much greater part both of night and day in prayer and spiritual lecture, and voluntary mortifications, besides the sufferings inseparable from a prison. He has had the comfort of receiving almost daily, since the sentence was pronounced, the greatest pledge a God of love could give him of His tenderness, and he has still done that great action with a new fervour, more like a seraphim than a man. His submission to Providence is so great that I scarcely believe it can be greater. In a word, madam, I can assure your Ladyship that I never knew any one better, and not many so well disposed, as he is. So that I have all imaginable reasons to believe that the period of his mortal life, which by all appearance is at hand, will be immediately succeeded by an endless happiness. I must needs do my Lady the justice of assuring your Ladyship that she has left no stone unturn'd, that she has omitted nothing that could be expected from the most loving wife upon earth, her tenderness for her dear Lord supporting and strenghtening her to perform what nobody would have thought her able to undergoe. Mistriss Evans having already given an account of what she did last week at the Palace, I shall only add that she did it in so lively a manner that the whole Court was moved to a tender compassion. The whole town applauds her, and extolles her to the skyes for it, and many who thirst after the blood of the others, wish my Lord Nithisdail may be spared to his Lady. This day she attended the House of Peers, accompanied by the Dutchesses of Montmoth, Hamilton, and Montrose, the Lady Orkney, and severall others, but the Duke of Richemond, who ought to have presented her petition, would not do it; but his Grace gave his word of honor that he would present it to-morrow morning. So she intends to petition both Houses of Parliament to-morrow. All the Scots nobility, except one Duke, have shew'd great concern and kindness to my Lord and Lady, but the Duke of Montrose has distinguished himself above all the rest. His Grace is to give this night to the King a petition for a reprieve, signed by the four Scots Lords who are prisoners.¹ God Almighty grant it may have the desired effect, and that my next to your Ladyship may be more comfortable than this is. In the mean while, I am, with a profound respect, madam,

Your Ladyship's most humble and obedient servant,

J. SCOTT.

¹ These were the Earls of Nithsdale and Carnwath, Viscount Kenmure, and Lord Nairn.

from the Tower Feby 22
1716

My Dearest Brother and Sister

I most willingly make use of some of the most precious moments of my life to give you the last assurances of my tenderness towards your persons and of my gratitude for your manifold favours and especially for your generosity towards me in these my hard circumstances, in which you have showed your self true and cordial friends. I also most humbly thank you for your unparalleled goodness towards my Dearest wife and children, whom I most earnestly recommend to you, as what is most dear to me after my own soul. you have been informed by my orders of what has passed here relating to me, and what my Dearest wife has done for me, so all I shall say is, that there cannot be enough said to her praise. every body admires her, every body applauds her and extolls her for the proofs she has given me of her love. So I beg of you Dearest Brother and Sister, that what ever love and affection you bear to me, you would transfuse

it unto her as most worthy of it. In my Testa-
ment written by my own hand and dated the
thirtieth of July 1713 I left my Dear Children
to your Curation and protection, and by those
my last lines, and by the tenderness, you bear
to your Dying brother, I beg of you to accept
this charitable office. The perswasion I am
in, that you will be wanting to them in not
~~thing~~ that lies in your power is one of my greatest
comforts, and contributes very much to my
Dying contentedly. As to myself, I thank
Allmighty God for it, I am entirely resigned to
his most holy will, and humbly adore his
providence. I look upon the time he has gra-
ciously been pleased to allow me to expiate my
past offences as the surest pledge of his love
towards me, and of my future happiness, which
I hope from his Mercy through the merits of
my Crucified Saviour. M^r Scott has been with
me every day since the sentence. I thank you a
million of times for all your kindnesses, I am sorry
I have not corresponded as I ought to have done
I most sincerely crave your pardon if I have

Disobliged you in any thing, I wish you all
sort of prosperity both spiritual and temporall
I give my blessing to my Dear Daughter and
nephews and nieces & recomend myself to your
prayers and am wholy & live with the most tender
affection

Dearest Brother and sister

your most affectionat Brother and
most obliged and humble servant

Nichsdall

20

The Right Honorable the
Earl of Raguard

My Lady gives her most humble service to my Lord and to your Ladyship, and her most unfeignyed thanks for all your goodness. My dutifull respects to my Lord, and my most humble service to the young ladyes.

To the right honorable the Countess of Traquair, to the care of Mr. William Weich, writer in Edinburgh, Scotland.

218. WILLIAM EARL OF NITHSDALE to CHARLES EARL OF TRAQUAIR.¹

From the Tower, February 22d, 1716.

MY DEAREST BROTHER AND SISTER,—I most willingly make use of some of the most precious moments of my life to give you the last assurances of my tendernes towards your persons, and off my gratitude for your manifold favours, and espesially for your generosity towards me in these my hard sircumstances, in which you have shewed yourselfs trwe and cordiall friends. I allso most humbly thank you for your unparelled goodnes towards my dearest wife and children, whom I most earnestly recommend to you, as what is most dear to me after my oun soul. You have been informed by my orders of what has passed here relating to me, and what my dearest wife has done for me, so all I shall say is, that there cannot be enough said to her praise. Everybody admires her, everybody applaudes her, and extolles her for the proofs she has given me of her love. So I beg of you, dearest brother and sister, that whatever love and affection you bear to me, you would transfer it unto her as most worthy of it. In my testament, written by my oun hand, and dated the 30th of July 1713, I left my dear children to your twition and protection, and by these my last lines, and by the tendernes you bear to your dying brother, I beg of you to accept this charitable office. The perswasion I am in that you will be wanting to them in nothing that lyes in your power is one of my greatest comforts, and contributs very much to my dying contentedly. As to myself, I thank allmighty God for it, I am entirely resigned to His most holly will, and

¹ This letter was written by Lord Nithsdale the day but one before that fixed for his execution. Little did he think when he was penning this letter, and when all hope of either pardon or reprieve must have been gone, that his devoted wife was planning within her own mind his escape, and which she effected in so wonderful a manner, as detailed by her in the following letter.

humbly adore his Providence. I look upon the time He has graciously been pleased to allow me to expiate my past offences as the surest pledge of His love towards me, and of my future happiness, which I hope from His mercy, through the merits of my crucified Saviour. Mr. Scott has been with me every day since the sentence. I thank you a million of times for all your kindnesses. I am sorry I have not corresponded as I ought to have done. I most sincerely crave you pardon if I have disoblged you in anything. I wish you all sort of prosperity, both spirituall and temporall. I give my blessing to my dear daughter and nephews and nieces. I recommend myself to your prayers, and am, whill I live, with the most tender affection, dearest brother and sister,

Your most affectionat brother and obliged and humble servant,

NITHSDAILL.

To the right honorable the Earle of Traquaire.

219. WINIFRED COUNTESS OF NITHSDALE to [the LADY LUCY HERBERT.]¹

DEARE SISTER,—My Lord's escape is such an old story now, that I have almost forgott it, but since you desire the account, to whom I have too many obligations to refuse any thing that is in my power, I will indeavour to call it to mind, and be as exact in the relation as I can possible. I think I owe

¹ This letter is entirely holograph of Lady Nithsdale, whose characteristic handwriting is well known. It consists of eleven closely written pages of paper, quarto size, and is in good preservation. At the foot of the last leaf a small piece has been cut off. This has been supposed to contain the signature of the writer, and to have been prized as an autograph by some one who had access to the letter. The woodcut lines at the end represent the part cut away.

The original holograph letter bears no date. In a copy in the Library at Terregles, written in a very beautiful hand, and finely bound in morocco, and which was probably made for William Maxwell of Nithsdale, the son of Lady Nithsdale, it is dated "Royal Palais de Rome, April 16th, 1718."

From the escape of Lord Nithsdale being referred to in the first sentence as "such an old story," almost forgotten by the writer, and from her having to recall to her remembrance the events as they passed, it may be inferred that this is the date. After his own letter, in which he expresses his calm resignation in the prospect of his speedy execution, it seems appropriate to introduce here



LADY LUCY HERBERT,
SISTER OF WINIFRED COUNTESS OF NITHSDALE.

my selfe the justice to begin by the motives I had to attempt so hazardous an enterprise, which I fully intended not to goe about till the very last, forseeing all the difficultys, which could not be surmounted without a perticular protection of almighty God, but rely'd it would not be refused me, when all human resources fail'd. You must than know, that when I first came to London, which I did as soon as ever I heard of my Lord's being in the Tower, and his earnest desire I should, he, as he sent me word, having noe body to help him till I came, vpon which I rode to Newcastle, and took the coach there to York, but there fell so much snow, that when I came thither, the York coach could not goe, so I took horses and rode to London. Through such weather, the very post stopt some dayes, and we were vp to the horse girts in snow; however, I gott safe and without accident. When arrived, I went immediatly and solicited all the persons in power, without the least hopes given me of any favour; all the contrary, every one was so plain as to tell me that perhaps some of the prisoners might be pardon'd, but not him for certain. I beg'd to know the occasion of this distinction, but could obtain noe answer to that point, but that they would not flater me, which, tho' they did not tell me, well did I know the reasons: A Catholick vpon the Borders, and one who had a great following, and whos family had ever vpon all occasions stuck to the royal family, and the only suport the Catholicks had amongst that Whigish part of the countrey, would be well out of the way. They had not yet forgot that his grandfather held out, as the last garison in Scotland, his own Castle of Ca[r]laverock, and render'd it vp but by the King's own orders, so that, now they

that of his wife's, which relates his providential deliverance, although not in strict chronological order.

The address of the original letter is wanting. In the copy at Terregles, already mentioned, it is described in the title-page as "A letter from the Countess of Nithsdale to her sister The Right Honorable Lady Lucy Herbert, Abbess of the English Augustine Nuns at Bruges." This is confirmed by the following indorsement, made by the late Lady Bedingfeld, wife of the late Sir Richard Bedingfeld of Oxburgh, in the county of Norfolk, on the twelfth or last page of the letter:—"This letter, or account, was addressed to Lady Nithsdale's sister, Lady Lucy Herbert, superior of the English nuns at Bruges, and given to me by those ladies, 1828, C. B." Another indorsation by the present Lord Herries states that the letter was presented to his sister, the Honourable Mrs. C. T. Clifford by Sir Henry Bedingfeld, in June 1855, and given by her in July following to Lord Herries, then Mr. Constable Maxwell, of Everingham.

had him in their power, they were resolv'd not to let him slip out of their hands. Vpon which I took the resolution to endeavour his escape, but confided my intention to noe body but my dear Evans.¹ But to concert measures, I solicited earnestly to be permitted to see my Lord, but that was refused me, except I would stay in prison with him; that I would not accept, giving for reason that my health would not agree with such a confinement; but the true one was, that I would than put my selfe out of the power of doing what I intended to attempt. But by meanes of money to the guards I saw him frequently, till the condemnation, after which we had leave, the last week, to goe and take our leaves of them. I had provided all that was necessary for his disguise, by the meanes of poor Evans, so had nothing to doe but persuad him to make vse of them, which I had much dificulty to doe. However God Almighty helpt me in that also when the time came. It was on a Thursday, 22d of February,² that our general petition to the House of Lords was given, to beg them to interseed to the K[ing] (as we were than forced to call him,) to pardon the prisoners, having been disapointed the day before of its being deliver'd, because the D[uke] of ———, I forgot which of the bastard Dukes, had promis'd Lady Darwentwater to give it, and when it came too, he fail'd, and as she was an English Countess, it was her business. However, we had still the next day before the execution, in which he promised not to faile. But for feare he should, I ingaged the Duke of Montrose, so I was sure of its being done by the one or the other, and therefore went with a most numerous train of most of the ladys of quality than in town, to solicit their favour as the Lords went in to the Parliament House, who all treated me very civilly. But the favour we gott was cheefly due to poor Lord Pembrok, who, though he beg'd me not to come near him, sent me word he would doe all that lay in his power; which he perform'd fully, for it was vpon a speech of his that it pased in our favours. The occasion of the petition was, that they pretended to dispute the K[ing]'s power of pardoning prisoners the Parliament had accused. But by the foremention'd person's speech it was caryed that it was, and they granted our petition to

¹ Mrs. Evans was the faithful and attached maid of Lady Nithsdale.

² This is the day on which Lord Nithsdale wrote his farewell letter to the Earl and Countess of Traquair, which evidently shows that, up to this hour, he knew nothing of the intentions of Lady Nithsdale for effecting his escape.

them to interseed to him for mercy ; but there rose vp one of the Lords, and said they would doe so, but with this clause, that it should be for such of them that deserved it, and not in general. This took of all my hopes, for I vnderstood that these deserts consisted in informations of all those that were engaged in the business ; and well did I know, nor would I have desired, that my Lord should have purchased his life at that rate ; however, the grant in general I thought I might make a benefit of for my design, and with this thought, went strait out of the Parliament House to the Tower, and, putting on as eherful a look as I was able, went vp, and told the guards at each place where they were, that I came to bring good newse about their prisoners, for there was now noe fear of them, the petition having pass'd in their favour, and than pull'd out some small thing out of my poket, and bid them drink the K[ing]'s health, and the Peers. What I gave them was noe great matter, for I was affraid that if I gave them to liberaly they might perhaps thinke I had some design, and I thought giving of them somthing would put them in good humour against the next day, which was the last before that appointed for the execution. The morning after I did not goe, but in the afternoon, having too many things to put in readiness. When I was ready to goe, I sent to Mrs. Mills, in whos house I was lodg'd, and told her that, finding there was now noe further room for hope of my Lord's pardon, nor longer time but this night, I was resolved to indeavour his escape ; that I had provided all that was requisit for it, and that I hop't she would not refuse to come allong with me, to the end that he might pass for her, and beg'd she would come imediatly, because we were full late. In the meane while, I sent to one Mrs. Morgan, who than went by the name of Hilton, one my dear Evans had made me acquainted with, who had render'd me a great service. She I also told my intention to, and desired, she being tall and slender, she would put vnder her own riding hood one I had provided to put vpon Mrs. Mills, who was to give hers to my Lord, my intention being that when he came out he should pass for her ; she was as tall as him, and being with child, would be about the same bigness. After which we went into the coach, where I never seased talking, not to give them leasure to think, for they consented imediatly to come with me, the surprise having left them noe time to reflect of the coneequenees. When we arrived, the first I brought in was Mrs. Morgan, for I could eary in but one at

once, and she brought in the cloaths that was to serve Mrs. Mills when she had parted with her own ; and after I had stript her of what she had brought in for me, I conducted her out again, beging she would doe me the kindness to send me my woman to drease me, for I began to be affraid I should be too late if she did not come imediatly, having a pition to give, which, if I were to late, having but this night, I were vndone, so dispatch'd her safe, and partly down stairs, where I took Mrs. Mills, who came in with her handkerchief before her eyes, as it was very natural for a person that came to take leave of a freind that was going to die. I made her doe it, that he might goe out in the same manner ; and her eyebrows being a litle vpon the yalow, and his very thick and black, I had provided paint of that collour to dy his, and a tour of the same collour'd hair, and to hide a long beard that had not time to be shaved, white paint to cover it with, and the rest of his face, and red for the cheeks, all which remainder of the provission I left in the Tower when I went out. The poor guards, who, vpon the litle I had given them the night before, were in good humour, lett me in and out with my poeple very willingly, and were not so much vpon the *qui vive*, because they were persuaded there would be a pardon vpon what I had told them the day before. I made Mrs. Mills put of her own rideing hood, and put on that I had brought in, which, when she had done, I took her by the hand and went out with her of my Lord's room, saying as I pass'd through the other (in which there were 9 poeple), with all the seeming concern imagineable—Dear Mrs. Chathrin, I must beg you to goe in all heast and look for my woman, for she certainly does not know what a clock it is, and has forgott the pition I am to give, which, should I miss, is irreparable, having but this one night ; lett her make all the heast she can possible, for I shall be vpon thorns till she comes. So the persons in the room, who were all the guards' wives and daughters, seem'd all to be in pain, and the sentinells at the door oppen'd it very speedily, and when I had seen her out I return'd back to my Lord, and made an end of putting him in order. I had taken care that Mrs. Mills, when she went out, should not goe crying as I had made her come in, because my Lord might pass for the gentlewoman that came in so, having her cloths, which when I had finish'd to put him on, with all my peticoats but one, it grew prety dark, and I was affraid of the lighting of the candles, so thought it was time to goe, so I came out, leading

first I brought in was Mrs Morgan, for I could carry in but
one at once, & she brought in y^e Coaths y^t was to serve
Mrs Mills wⁿ she had parted with her own; & after I had
stript her off w^t she had brought in for me, I conducted
her out again, begging she would do me y^e kindness to send
me my woman to dress me, for I began to be afraid I should
be too late. If she did not come immediately; having no provision
to give, w^{ch} if I were to late, having but y^e night, I were un-
done, so dispatched her safe, & partly downstairs, where I took
Mrs Mills, who came in with her handkerchief before her
eyes, as it was very natural for a person y^e came to take
leave of a friend. y^t was going to die, I made her do it y^t
he might go out in y^e same manner; & her eye brows being
a little upon y^e yalows, & his very thick, & black, I had pro-
vided paint of y^e colour to dy his, & a touch of y^e same
colour to hair, to hide a long beard y^t had not time to be
shaved, white paint to cover it with, & y^e rest of his face
& red for y^e cheeks, all w^{ch} remainder of y^e provision I
left in y^e tower wⁿ I went out,

him by the hand, he had his handkerchief before his eyes, and I spoak to him with the greatest concern in the world, lamenting my selfe bitterly that Evans was so neglectfull, that she had ruin'd me by her long stay, so, deare Mrs. Betty, run and bring her with you for God sake ; you know my lodgings, and if ever you made heast in your life doe it now, for I am almost distracted with this disapointment. So the guard oppen'd the door very quickly, and I went with him down stairs, still conjuring him to make heast ; but as soon as I gott him out of the door, I made him passe before, and I followed him, for feare the sentinell had perceaved some thing by his way of walking, but I still continued to beg him to make heast. At the foot of the staires I found my dear Evans, into whos hands I put him. I had engaged Mr. Mills to expect in the place before the Tower, to cary him to some sure place in case we succeeded. But he thought it so improbable that we should, that the surprise at the sight made him loose him selfe so intirely that he was capable of nothing, which my dear Evans perceiving, and having all the presence of mind imagineable, and having friends of her own she could confide, she imediatly, without telling him any thing, for feare it should strick him, caryed him to a place of security, or else we had lost our business after it was done : And having left him there, return'd to look for Mr. Mills, who by this time was come from his surprise and gone home, and had procured a place for him to stay in, which they cary'd him to. In the mean while, I who had sent him as it were of a mesuage, was obliged to return vp stairs and pass the room again to goe to my Lord's in the same seeming perplexity for feare of being to late as I went down in, so that all the poor poeple seem'd to compassionat me mightely. When I gott into my Lord's chamber, I spoak as it were to him, and I answer'd as if he had, and imi[ta]ted his voice as near as I could, and walk'd vp and down the room, as if we had been walking and talking together, till I thought he had time enough to be out of their reach. I than begun to thinke it was fitt for me to gett out of it also. So I oppen'd the door, and went halfe out of it, holding the door in my hand, that what I said might be heard by those without, and took a solemn leave of my Lord for that night, saying that I thought some strange thing must have hapen'd to make Evans stay, she that never vsed to be neglectfull in the smalest thing, to make her so in a matter of this consequence. But I found there was noe remedy but going my selfe ; that if the

Tower was still open when I had done, I would see him that night, but he might be sure that as soon as ever it was in the morning, I would be with him, and hoped to bring him good newse, and than, before I shutt the door, I drew in to the inside a litle string that lifted vp a wooden latehe, so that when the string was wanting in the outside, the door could not be open'd but by those within, after which I shut the door with a flap, that it might be surely shut, and as I pass'd by I told my Lord's valet de ehamber, who knew nothing of the matter, that he would not have candles till he call'd for them, for that he would finish some prayers first, and so went down stairs. And there being several haekeney coaches waiting in the place, I gott into one and went to my own lodging, where I had left poor Mr. Makenzy to stay for the petition that was to have been given in ease my proiect had fail'd, for it was not come before I went. So I told him there was noe need of it now, for my Lord was out of the Tower and their hands, I hoped, but as yett did not know where. I disharg'd the coach I had taken at the Tower, and made them call me a chair, and went to the Dutchess of Boclugh, who was staying at home for me, for I had engaged her to come along with me to give it, because I had been so vsed in the last. I ask't if she were at home, and who was with her; they told me she was, and stay'd for me, and that she had some Dutchess with her, but I forgot who. I said since she had company I would not goe vp, being very vnfitt for any, but beg'd the favour of some room to stay in below till they would doe me the kindness to call my Lady's woman to me, for I had a word to say to her. I had discharged the chair when I come in first for feare of being persued. When the gentlewoman came down I desired she would present my most humble serviee to her Graec, whom I heard had company, and therefore did not care to goe vp my selfe, and tell her that I was very much oblig'd to her for the favour she had promis'd me, of going with me to give my petition, but that she need not give her selfe any further trouble, it being now thought fitt to give a general petition in the name of vs all. So I would not give a pertieular one, but that I would not forget my obligation to her, and would take my time of coming to thank her for it my selfe. After which I made one of the servants call me a chair, and bid them goe to the Dutchess of Montrose,¹ who had all along shew'd a pertieular concern for me.

¹ Lady Christian Carnegie, Duchess of Montrose. She was daughter of David Earl of Northesk.

after w^{ch} I made one of y^e servants call me a chair, & bid y^e
goe to y^e Butcher's of Montrose, who had all along a long shew'd a
particular concern for me, she had left word y^t in case I came, to
say she was not at home, because she said she could not see me
in y^e trouble she knew I would be in, but by some mistake
they brought me up, so there was no remedy, so she came to
me, & as my heart was very light, I smiled wⁿ she came into
y^e Chamber, & run to her in great joy, she really started wⁿ
she saw me, & since wⁿ y^e she thought my head was over-
with trouble; till I told her my good fortune, after w^{ch} she
beg'd me to put my self in place of security, for y^t she
knew y^e Electour was highly displeas'd with me, for y^e Piti-
tion I had given him, y^t had occasion'd his being complain-
ed, I desired they would call me a chair, for I never kept
any, for feare of being bris'd, y^e Butcher's said she would go
to court, & see how y^e remse was receiv'd, w^{ch} she did, & told
me y^e Electour stom'd terribly wⁿ y^e account came, & said he
was betray'd, for he was sure it could not have been done with-
out contrivance, & sent two persons to y^e tower immediately, to see
y^t y^e others were well guarded y^t ~~y^e others~~ might not do y^e
like, some said it was one, y^e other another, & no body was very
rich, but her self,

She had left word that in case I came, to say she was not at home, because she said she could not see me in the trouble she knew I would be in, but by some mistake they brought me vp, so there was noe remedy. So she came to me, and as my heart was very light, I smil'd when she came into the chamber, and run to her in great joy. She realy started when she saw me, and since own'd that she thought my head was turn'd with trouble, till I told her my good fortune; after which she beg'd me to put my selfe in place of security, for that she knew the Electour was highly displeased with me for the pition I had given him that had occasion'd his being complained of. I desired they would call me a chair, for I never kept any for feare of being tris'd. The Dutchess said she would goe to Court and see how the newse was receiv'd, which she did, and told me the Electour sto[r]m'd teribly when the account came, and said he was betray'd, for he was sure it could not have been done without connivance, and sent two persons to the Tower imediatly to see that the others were well guarded, that they might not doe the like. Some said it was one, the other another, and noe body was very sure which, but her selfe. After I left her, I went to a house which Evans had found for me before hand, where she had promis'd to come and give me notice where my Lord was, which she did soon after I was there, and told me that, after she had left him in security, she went to seek out Mr. Mills, who by that time was come from his first [surprise,] and return'd to his own house, where she found him, and that he had cary'd my Lord from the first place where she put him in the mean while to a poor woman's house just before the court of guards. She had but one litle room vp a small pair of stairs, a poor litle bed, into which we were forced to goe imediatly for feare they should heare more walking than vsual. She left vs a botle of wine and some bread, and Mrs. Mills brought vs some more the next day in her poket, but other thing we gott not from Thu[r]sday evening to Saturday evening, that Mr. Mills came when it was dark, and cary'd my Lord to the Venetian Embacedor's, who knew nothing of the matter. But one of his servants kept him in his own room till Wensday, he being to goe to Dover by the Embacedor's orders, with a coach and six horses, to bring his brother from thence; whom he expected by that time. He put my Lord on a livery coat, and went away before day, and cary'd him safe to Dover without the least suspition, where imediatly Mr. Michel, which is the

name of the Embacedor's servant, took a small vesell and went over to Calis with my Lord in so few hours that the master of it said, if we were flying for our lives we could not have a fairer wind, which he said by chance, litle thinking that he had one in it that was in that case. Mr. Michell¹ might have return'd back without being suspected to have had a hand in it, but my Lord, I suppose, had an inclination he should goe allong with him, which he did, and is now very well placed with our young master. This is as full an account as I can give you of that affair, and of all those concern'd in it, and I assure you is as near as I can possibly remember just as it past, and you may depend vpon the truth. For my part, I went into a very honest man's house in Drury Laine, but whos name I doe not remember, and lay quiet till I heard my Lord was safe of the other side of the watter ; and than I wrote a letter to the Dutchess of Boclugh, (till which time it was thought I was gone with my Lord, so I was not search'd for,) in which I told her that I heard that [I] was suspected to have procured my Lord's escape ; that realy it was so naturaly to be beleaved if I had been so happy as to have had it in my power ; that I did not blame them for thinking it, but their suspission, without prouf, was not sufficient to make me suffer for a suposed crime, but enough to occasion my being secured, so beg'd she would be pleased to obtain me leave to goe with safety about my business. Instead of obtaining, they were resolved to indeavour to find me out, but after several debates about it, Mr. Solicitour-General, a man I had never seen nor knew any thing of, said, since I had so much deference for the Government as not to appear, it would be a cruelty to search for me. So, vpon his speach, it was resolved that, in case I kept out of the way, noe particular search should be made for me, but if I appear'd in either of the 2 kingdoms, England or Scotland, I should be imediatly secured. But that favour was not sufficient for me, except I left my son a beggar, for my Lord sending for me in such heast, I had time for nothing ; and having all the family papers in my hands, and noe body fitt to be trusted with them, my house lyable to be search'd when ever they pleas'd, and concequently noe security for them, I took

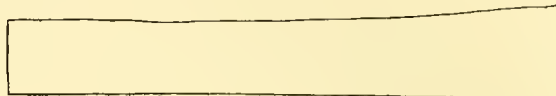
¹ Mr. Michell seems to have been in the service of James at the time of his marriage to the Princess Clementina Sobieski. In a note in the Stuart State Papers, p. 48, Glover states, " We will carry *Michell* and the cook along ; and four dozen of burgundy and champagne are to be sent before."

the resolution, as the only thing I could than doe, to bury them, and noe body but my selfe and the gardener knew where they were, or any thing of the matter ; and it was well I did it, for the house was often search'd after I went of. And God knows what account had been had of them. This made my presence of absolute necessity, or they had been ruin'd ; for though, with much care, they had laine safe one very hard winter without suffering, for when I took them vp they were as dry as if they had been by the fire side, it was not possible they could have laine long without prejudice, so, as I had riskt my life for the father, I was resolved to run a second risk for the benefit of the son, tho' I had never rid but the foremention'd journey from York, but now ill weather was not the case, but feare of being know'n, and by consequence seased, which to avoid, I bought 3 sadle horses, and went down a horse back, accompany'd only by my deare Evans, and a very trusty man I brought with me out of Scotland. We lodg'd in all the small inns that was capable of receiving a few horses, where I was sure not to be known, for in all the best I was so, on both roads. By this meanes I gott safe to Traquire. There I was safe, for the levetenant of the county, being my Lord's freind, would not search for me without giving a privat notice, that I might gett out of the way. So there I venter'd to rest my selfe two dayes, seeming to have noe feare vpon me, but made it pass as if I was come to goe home with leave of the Government, but sent noe notice to my own house, because I would not give the Magistrats of Dumfrise time to inquire about me. So they knew nothing of my arrival in the countrey, till I came home, where I made it pass as if I had leave to doe it, and to convince them the better, sent to all my neighbours about of my being come, and that I long'd to see them ; in the mean while I lifted my papers by night, and sent them immediatly to Traquire, which was a providence I made such heast to doe, for they were not long before they began to suspect me ; and some persons happen'd to heare the Magistrats say, that they were resolved to goe the next day and wait vpon me, and see the leave I had from the Government. This was told me by way of newse, which, when I heard, I reply'd, I must confess I am a litle surprised they have been so long a coming ; now I have been here 3 dayes, and they have not yet pay'd their duty to me, but it is better late than never, pray tell them they shall be very wellcom when they please. This was in the after-

noon, but I staid not a minut without ordering all things to be gott ready very privatly, and the next morning, by break of day, I went of with the same company, and gott safe to London, lodging as before in the by inns. When I arrived, I found they still discourced of my having been in Scotland, notwithstanding the prohibision ; and one of the ladys told me that the Electour was highly displeased when he heard it, gave orders for my being searched for ; that I did what I pleased in spight of his heart, and that I had done him more mischeif than any woman in Christendom ; so I lay quiet till the hubub and search was over. In the mean while I took the advice of a very honest and famous lawyer, who was of opinion that it was fitt for me to be gone, after the search for me was over ; which advice I follow'd about a fortnight after, and gott safe without accident. The reason he gave me for it was, that tho' in all other cases a wife could not be persued for making her husband's escape, but in matter of treason, according to the rigour of the law, a wive's head answers for her husband's, and the Electour was so enraged at me, that they would not answer what might happen ; so beg'd me to be gone. The reason of this great displeasure had been augmented by a petition I had given him, notwithstanding his orders that noe body should offer to come with any of the prisoners' wives to give him any, for he was resolved not to be troubled with any. But my Lord had a great inclination to have a petition given, thinking it might be of benefit ; for my part, I did not think it would be of any, but was willing to content him, so desir'd him to have his petition drawn, and I would find a way to deliver it, notwithstanding all the precaution the Electour had taken to avoid it ; so the first day that I knew he was to goe to the drawing room, I dreased my selfe in a black mantow and peticoat, as if in mourning, and sent to Mrs. Morgan, the same as went with me to the Tower afterwards, as before mention'd, for I did not know the Electour, and might have taken another for him, and she did, so would show me the right. I had another gentlewoman with me, but I forgot who, but we went all 3 into the chamber that was between his closet and the drawing room, so that he was to pass the wholl length of the room to goe to it, and there being 3 windows in it, we sat our selves vpon the midle one, that I might have time to catchc him before he could get by, which I did, and knelt down and presented my petition, telling him in French that I was the vnhappy

Countess of Nithsdaill, that he might not pretend he knew not who I was, but finding him going without taking my petition, I took hold of the skirt of his coat, that he might stay to heare me ; but he indeavour'd to get away, and I held so fast, that he drew me vpon my knees almost from the midle of the chamber to the drawing room door ; at last one of the Bleu Ribonds that was with him took me round the waist to draw me back, and another drew the skirt of his coat out of my hand, and the petition that I had indeavour'd to put in his poket fell down in the struggle, and I almost s[w]ounded with the trouble ; how ever, one of the gentlemen took vp the petition, and as I knew it ought to have been given by him to the Lord of the Bed Chamber that was in waiting, I had wrote a letter before hand, and desired he would doe me the favour to have a petition read that I had had the honour to give to the King, as I was than forced to term him. It proved to be my Lord Dorcet, by good luck for me, it being one Mrs. Morgan was very well acquainted with, she went into the drawing room, and deliver'd the letter to him, which he took very civilly, but could not than read it, for he was at cards with the Prince, but as soon as the game was ended, he did, and acted, as I heard, very warmly and kindly in the matter, to which he was induc'd the more by the Duke of Montrose, who had seen me as he had pass'd into the room, and was than coming to me to speak to me, but I made him a signe not to doe it, for feare his takeing notice of me might have spoilt my design. They gott my petition to be read more than once, without any effect, but served for the discource there that night, and my being so rudely treated had made a noise, and gave no good reputation to the Duke of Hanover, for several said, what had they brought them selves to, for the Kings of England was never vsed to refuse a petition from the poorest woman's hand, and to vse a person of my quality in such a manner as he had done, was a piece of vnheard of brutality ; these talkes made the Elector have a perticular dislike to me, which he shew'd afterwards, for when all the ladys whos lords had been concern'd in this business, put in clames for their jointures, mine was given amongst the rest, but he said I was not, nor did deserve the same privilege ; so I was excepted, and he would never heare speak in my favour. This made every one of opinion I was better out of the way, for in the fury they were than against me, it was not adviseable for me to venter the falling into their hands ; vpon which I

went of. This is the full relation of what you desired, and of all the transactions that I pass'd at that time, which noe body but your selfe could have obtain'd from me, for whom my obligations has imposed me a law of never refusing any that lys in my power. You will excuse all mistakes in this long scroll, for it being only to you, I rely'd on your goodness in that, and have had noe other regard but to the truth, that you may depend vpon; and all other faults you must excuse.¹



220. CHARLES LORD LINTON to his mother, MARY COUNTESS OF TRAQUAIR.

[Paris,] March 25th, 1716.

DEAR MOTHER,—Some few days ago I had the satisfaction to receive yours of the eight of February, and was extreamly glade to find that my father, your-selfe, and all the rest of the family, are in perfect good health; but at the same time was heartily sorry to hear of the dismal condition of our countrey, occasioned by civil broils, and the last ill winter, which you say was so very violent in your parts, as indeed it was not otherwise with us. One of the cheifest dutys in my opinion that a son owes to his mother, is to comfort her in her afflictions, so farr as he can; and as I easily perceived from your last letter

¹ The copy of this letter at Terregles, mentioned in the foot-note on page 222, concludes thus:—"My Lord desires you to be assured of his sincere friendship. I am, with the strongest attachment, my dear sister,

"Yours most affectionately,

"WINIFRED NITHSDALE."

The small piece cut from the original, as represented by the above engraved lines, could not have contained the whole of the addition now quoted. It is possible that the person for whom the copy was made had added a conclusion to it according to his own ideas of what it should be. The copy is not an exact transcript of the original. The sentiments are indeed preserved throughout; but the language of almost every sentence is altered and modernized. The simplicity of the original, and at the same time its force, as written directly from the heart, are entirely spoiled by the attempt made to turn it into elegant English.

how much yow was afflicted at the sad state of our countrey, as it is but natural for every well wisher of it, so I think my duty obliges me to give you all the comfort I can, and I am perswaded I can give you no greater just now than to tell you that my unckle,¹ after haveing been dispair'd of by all, is now perfectly recover'd. He came to town yesterday, and stays at present in the same lodgeing with us, he doth not design to stay long here, but has a mind to go some place elsewhere more wholesome to breath in, for fear he should relapse into his late sickness. He is likewise to add some few lines with his own hand, to assure you of his recovery. I presume to offer my humble duty to my dear father, and be pleased to ask him if he will allow me to buy a silver watch, which he had order'd me to do at London, but not haveing time to do it there, I hope he will not hinder me to buy one here. I wou'd not have put my father to that expences if the watch that I have went but tollerable, which, how soon I buy the other, shall be sent home by the first sure hand I can find. My brother and I, thanks to God, are perfectly well. In the hurry I am at present I can add no more but wishes you a happy Easter, praying that God may continue His mercifull protection to you, and that I may allwayes be, dear mother,

Your most dutyfull son, and most humble servant,

CH: ST:

Be pleased to give my affectionate service to all my sisters.

For my dear mother.

[Addition by the Earl of Nithsdale :—]

DEAR SISTER,—This is to returne you my most humble thanks for all your kinde favoures, and at the same time to assure my dear brother that I am, with all immegionable affection and greatitud, both your most humble servante.

221. WILLIAM EARL OF NITHSDALE to [CHARLES EARL OF TRAQUAIR.]

Paris, April 24th, 1716.

MY DEAR BROTHER,—I doe not question but both my sister and you longs to hear from me, and I hope you well not attribut my so long silence to any

¹ William fifth Earl of Nithsdale.

neglect, or want of sence, for your uncomon affection towards me, of which you have on all occasions given me mor then sufficient proofs. I assure you no man can be mor sensible then I am for your goodnes, nor mor desirus to make you a sutable return. I have seen severall times your two sons, but allvayes with a new satisfaction. I ever looked on them as very hopfull youths, and with joy find that they not only answer, but surpasse the expectation I had conceived of them. I intend this afternoon to take leve of them, being to part hence the morow for the south. If ther be anything ther for your service, pray comand him, who is with the utmost greatitud and sincerity,

Your most abliged humble servant and affectionat brother—

My most kind respects to my darest sister, to whos good prayers I atribut, in a great part, my being hearto. I pray God to bliss her, and all the dear family.

222. CHARLES LORD LINTON to his mother, MARY COUNTESS OF TRAQUAIR.

[Paris,] May 6th, 1716.

DEAR MOTHER,—Hopeing that what I wrote upon the back of my unckle's¹ letter, will serve as a sufficient excuse for my not answering yours sooner, I think it needless for me to say anything more here upon that score. I will now, therefore, in obedience to your commands, give you as exact an account as I can of my unckle's health, and everything else about him, since the time he came here, which I cou'd not have done in my last letter, which was wrote just upon his arrival here. Besides, I was so much taken up with him then, that I had not time to writt these particulars that I can do now. He then, as I told you before, not knowing that he had any other friend here, came straight to us, where he stayed some few days, but not finding all the conveniencys that he might have else where, he took an apartment of his own, and remain'd for some time there, till by chance his friend, of whom you wrote, happening to go out of town, and being to keep her lodgeing till she shou'd return, desired him to stay there in her absence, which he did. As to any other services she has done him since he came here, I belive they are

¹ William fifth Earl of Nithsdale.

but very ineonsiderable, tho' I do not doubt but that she will do for him ; for while he was sick she allways expressed herselfe with great concern about him, and seem'd to be willing to do all that lay in her power for him. She is not yet come to town, otherwise I wou'd have deliver'd your compliments to her as you order'd me. I, as soon as my unckle arrived, reckoning that he wou'd be somewhat low in his poeket, offer'd him any little thing that I cou'd command, not doubting but that my father and you wou'd allow it. He said that he did not stand in need of any then. However, before he went away, he asked of me two hundred livers, which I immediately gave him. All the time he stayed here, he kept his health perfectly well, tho' we were somewhat apprehensive at the beginning of the effects that a new air might produce upon his health. He went frequently to see Mrs. Arther,¹ who was extreemly kind to him, and furnished him with money. What hasten'd his going away was an invitation of Mrs. Arther's son² to him in very obligeing termes. He showed me the letter, which was ended full of kind expressions. Amongst the rest, there is one that I can not omitt setting down here, to witt,—“ As long,” saith he, “ as I have a loafe of bread in the world, assure your selfe you shall allways have a share of it.” My unckle parted from this about ten days [ago] in good health, so that before this time is at his journey's end. Here I have sett down all that I can say about him, nor do I belive that you will think me to have been too particular about him, knowing very well the concern and interest you take in him, which endedd he seems to be very senseible of. As to your nephew,³ whom you seem to be so anxious about, he arrived two or three days before his father went from hence, and, after haveing stayed some few days here, sett out for the place where he designs to finish his studys. My brother and I, thanks to God, are perfectly well. I am very sensible of my father's and your goodness in allowing me every thing that I ask ; and what you lately granted me, in allowing me to buy a watch, renews afresh in my mind these dutys that I owe to so indulgent parents. I observed your orders in the buying of none but an English one, which I got here by chance at as easy a rate, if not easier, than if I bought it at London. Mr. Ca[rnegy] has wrote nothing to me as yet about my studys, which you say he was to have done. However,

¹ The Queen Mary of Modena.

² Her son, the Chevalier James III.

³ William Lord Maxwell, eldest son of the fifth Earl of Nithsdale.

before yours came to my hand, I was resolved of my selfe for to give over my philosophie, having been now about six months of it, which was all the time that was allowed me ; for tho' I have been now a whole year here, yet I have not been about an halfe at philosophie, for the schools did not sitt down till near six months after we were here, and yow know very well that I cou'd [not] begin in the middle of a course, so that I was obliged to wait all that time. However, I now design, till such time as it be thought fitt for me to go to the Academy, to apply my self to what regards my religion, to history, and to the civil law. If I find that I cannot have time enough for mathematicks while I am in the Academy, which I will enquire at people who know, I will study them before I go there. I wou'd have begun ere now to this method of studys, had I not been hinder'd by a late indisposition, of which I am now perfectly recover'd. I beg of you that you wou'd lett me know my father's sentiment about my studys ; for whatever he orders me to apply to, I shall be sure to do it with the greatest exactness that is in my power. I cannot in gratitud hinder myself from regrateing poor William Seaton's [death] being of the loss that you have of so good and faithfull a servant, and I of so good a friend. I am heartily sorry that I have to tell you that your unckle¹ is so dangerously ill that he is thought to be past all recovery. I am much obliged to all my friends for minding me so kindly on my birthday. I earnestly beg that you wou'd assure them that I am as little forgettfull of them as they are of me. I am surprised to hear of the strange lights² that are scen in your parts, for there has not been the least appearence of any such thing here. I presume to trouble [you] with my service to sister Lucy, to whom I wrote some considerable time ago, but has had not answer. I received s[ister] Ann's letter, and deliver'd her commission as she desired me ; I shall give her a return as soon as I can. At the same time I offer my most humble duty to my dear father, and be pleased to accept the sam your self of, my dear mother,

Your most dutyfull son,

CH. ST.

¹ Probably the Duke of Perth.

² These strange lights, the Aurora Borealis, were very brilliant in the year 1716, and by the common people in the north were called *Derwentwater lights*, having been observed about the time of the execution of the much venerated and beloved, as well as popular, Earl of Derwentwater. It is well known that he might have saved his life by renouncing his religion ; but he spurned the offer.

My brother is now perfectly recover'd of his late indisposition. Pray give my service to all my little sisters. I hope you'll excuse the blunders that escape, for I have not time to correct them, the post being just read[y] to part.

For my dear mother.

223. WINIFRED COUNTESS OF NITHSDALE to MAJOR MAXWELL at Terregles.

May the 6th, 1716.

SIR,—My debt to Bayly Corbet must be paid, but I doe not know how to answer the paying an article in his other bill that my Lord absolutly deney's ; which it is I know not, but thought it that I mention'd. However, I suppose before you pay the bill you will examine it with all his notes, and pay it accordingly, for this is considerable quantity of brandy that my Lord speakes of. I wish you would speake to John Simerell about John Thomson's bill before you give him his sign'd, for I suppose he has some money of that which should be counted for. I heare there is some trees a cutting down : I suppose it is none neare the howse, for those my Lord would be angrie at, but should be glad if any others could bring me money. But I fancy it is only for reparation of tenants' houses we are oblig'd to repair. I am sorry for the report our malicious neighbours makes about the goods, but there is noe help. However, send noe more heare. We must do the best we can about what remains, which is all from,

*Good Major your abused friend
W. R.*

I heare by Robine Muray that it is trees you have sold, which you have done very well, in case, as I doe not doubt, but you have chose the place.

For Major Maxwell, att Terregls.

224. The SAME to [the SAME.]

Traquire, May the 18th [1716.]

DEAR MAJOR,—I beg you to take all the care you can about selling my things as soon as possible, and as many as you can, for I find my stay here must be

very short, and I shall be much straitened for money. You must send the chairs in the walnut tree dining room, the chairs in the velvet room, with the coverings to them ; the burow, the feather bed belonging to my Lady Dowager's bed, and the best of the other feather beds ; the quilts, that is two of them, the litle one belonging to the silk dreasing room, and the cleanest of the big ones ; the upper part of the silk dreasing room bed, which you must pack well, or it will be quite spoilt, and what belongs to it. The cows gett of as soon as possible. You need not send any here but the best of the two cow stots that Mr. Lindsay had a mind to. The cabinet in my closet get sold if it can be, tables and stands, and anything that can yeild money. Lett great care be taken of the horses, because I shall want them soon, and the stables well shut, that they may not be seased. The three boles of malt in William M'William's hands I desire I may get money for also ; and, in short, any thing I can get it by. The chairs and glass at Lady Bishopton remember, and all the copper, the furniture. Mrs. Merion of Traughty, you know, promis't to help in chairs and tables. Corockan was saying he knew some wanted. In fine, for God's sake, doc your best for me, and dispatch as soon as may be. The enclosed cary to Traughty, that all dispatch may be made, all vpon the pretence of my wanting money, which is too great a truth. But I have an additional reason for making so much heast. The sooner the things that are to come here the better, but see that the loads are better than the last that came with me. Anderson I did not pay, but gave him a crown in part, for he talk't of a guiney, wheras I thinke it vsed to be but forty-pence a day, so the most can be recon'd is eight pounds Scot. Barney Hill I did not pay neither, because I supose that at least may be taken out of his rent. But whenever you send the things, which I desire as many of them as you can may come on Munday, I will send you Anderson's money, when you let me know what. And for the last week's meat, if you will send for Gibson's bill, we had a side of moten and four small pecies of beef. I wish this may find you in good health, and I doe not question of your diligence in dispatching my affairs, which will be most kindly taken by

Your affectionet freind and servant,

W. N.

225. The SAME to the SAME.

Traquire, May the 22d, [1716.]

GOOD MAJOR,—I have sent three caryers. What things are not yet come of send by them of what I mention'd in my last ; and if noe reasonable price can be gott for the grey bed, lett it rather come than be sold for a song. Here are boxes sent back in which you may put the books that are in the grey room, and send them hether, for those in the far room they are not worth removing. The *petit père* will know the mision ones, and Mr. G.'s. I beleeve most of ours has my Lord's armes, save those four I gave you. The great bird cage is wanted here, and the cold still, and litle copper stuing thing that stands by it. If you can get cows to put in the park, and pay'd as they goe in, I might get the money, and the three pounds you set the Frier hill, and sell the grass vpon the meadows, if you can, the three boles of malt, all which money, together with what can be gott of any other thing, send as soon as possible, and send to Andrew Smith at Springkell to come hether as soon as he pleases, and he may have any money you have gott to bring. Pray lett Boncha take great care of the horses, that they may be able for the journey. If you could get that at Sir Robert's sold, for I find I can get none off here, and therefore must send the black one home againe, which, if you could get sold, I would be glad. Perhaps Gripton may buy the clock, or black horses : it has been hurt with the cariage, but I suppose since he saw it before, it will not sell much worse for it. In fine, I must rather loos by all things than not gett something. Pray present my service to Corouckan, and beg him to sell the cows as soon as it is possible. The stote for Mr. Lindsay must be carefully sent. The butter also, and what pigs you find wholl, set carefully vp till sent for. If there could be gott an able strong horse that would cary double, and had an easy trote, if not a pace, and were capable to goe through, I would be glad to buy it ; for I am affraid almost of rideing single for fear of the pomell, I am grown so big. If you heare of such a thing send word. In fine, Major, doe all you can for me, for I at present am in some distress, being in the condition I am, and doe scarce know what to doe with myselfe ; but God will help me out, as He has hetherto done, so I rely vpon Him. I forgott to tell you the sopha in the velvet room must come.

Pray put vp the wallnut tree in the place you spoak of. So, thanking you for all the trouble I give you, and wishing you all happiness, I remain,

Your assured freind and servant,

W. N.

Pray look out what accounts there is owing to workmen, or any other things, together with their receipt, because we may gett the decrets rectify'd of what is not due when William Alves goes into the contry, for he is to call to you for them, so gett them ready against he comes, which will probably be the begining of the month.

For Major Maxwell att Terregles.

226. WINIFRED COUNTESS OF NITHSDALE to MAJOR MAXWELL at Terregles.

Traquire, May the 28th, [1716.]

I THANKE you, good Major, [for all the tro]uble and care you have taken about the sell[ing of the things], which, considering that every body knows it . . . and, therefore, offers less, I have reason to think . . . past expectation, and I assure you I am fully [satisfied], noe care or pains has been spair'd, for which I give you many thanks, and desire you will goe on as well as you can with what remains. The cow, as I told you in my last, may also be sold. The stote you must get brought as carefully as you can. As to the great copper, it will be a great loss if that should be sold, because it will be so dear to gett another if wanted. But of the other side, since soldiers is coming into the contrey, it had better be sold, than they should take it for nothing, so doe in that as you find it is likely to goe. My grass in the meadows and park I feare they will sease, but if we could be beforehand with them, it would be very well. Perhaps it may be gott bought by others at a prety good rate, that they may gett by it again by them. The horse I have sent back to see what can be gott for it there, for here it will not sell, and the black, Boncha and you must doe your best about them. The cows, I must confess, has gone of for much less than I expected, but I doe not blame either Corochan or you, but poeple has taken advantage of a necessity, so we must have

patience. I find I shall get litle good of the malt, since John Simerell p[r]etends to some of it for what he gott for me, which I took to be of my own. However, now I am out of the way, I cannot prove : however, doe what you can about it, but I expect litle good since it is so, but, dear Major, doe what you can to sell what remains, and lett Mrs. Merion take her debt, for, poor woman, she has been very kind, and has wanted it long ; and I may, perhaps, never get it pay'd her if I doe not doe it now. You and she may cast it vp ; it was four hundred livers, of which I have only pay'd her ten pound starling. But I have not time to recon it vp. Boncha must get his meal either from the miller, or any way you can best get it done. When the Comisar comes into the contrey speak to him about it, and James Simpson, whilst we are forced to keep him. I have nothing more to say, but to put you in mind of the things at Lady Bishopton's, and the carabines. Many thanks for what you have done, and assure yourselfe wherever I am shall wish you well, and ever be, your assured freind and servant,

W. N.

As soon as you receive this, send to Mrs. Corbett for the piece of work, for she has gott it back. If you get any fine salmon send one express [with] it.

The six chairs belonging to my room should be sent, since we have the covers and all the rest that belong to the furniture of the room. You send me word that Simerell pretends to malt, but you send me noe word of what account he has made of John Thomson's bill, so pray let me know by the next, for I left it with you. Pray, mind the coper lid.

For Major Maxwell att Terregless.

227. MA[RION] IRVING¹ to [WINIFRED COUNTESS OF NITHSDALE.]

Teregels, June the 15, 1716.

DEAREST MADAM,—I am realy ashamed of the notice your Ladyship is pleast to take of the small service my sister and I hes dun on this occasion. But belive

¹ This is probably the "Mrs. Merion" referred to in the letter from Lady Nithsdale, p. 243.

me, madam, we have dun all we eould, but not so well as we wished, for your honour's advantage. We are now prity well thorow, notwithstanding all the thraitning alairms and secret advices we got not to meddle with ribels' goods. But we answred your Ladyship was no ribel, and the goods was yours. I most heartily thank your Ladyship for the good news of my Lord, and I pray God send your Ladyship a quiek and happie meeting; for I am sure it would be my Lord's graitest felicity to meet with his dear preserver; and I asure your Ladyship I am sory that I canot be a witnes to the joyfull meeting. I thank your Ladyship kindly for the offer your Ladyship makes my sister and me of any of the goods of the house, but I will make no presents so long as we can sell. Madam, this day there is some heare looking upon the aras hangings. I wish your Ladyship would let me know what way to sell them, for I have no skil. William Irving hes all the mony to give your Ladyship of what hes been sold sincee the last acoumpts. I have recived eighteen pound starling from the Major of the mony your Ladyship ordred for me: the rest I shall wait for, that your Ladyship may get all the mony while you are heare. If your Ladyship thinks you will want mony for your jurnay, I will very joyfully return what I have got.—I am, dearest madam,

Your Ladyship's most humble and obedient servant,

MA: IRVING.

228. WINIFRED COUNTESS OF NITHSDALE TO MARY COUNTESS OF TRAQUAIR.

London, June [July] the 3d, [1716.]

DEARE SISTER,—This is to acquaint you that I am gott safe to this place without any accident of fall or any thing of that kind, and am fully persuaded that it has been less hazardous than if I had been in eoach. However, after some rest, we will be able to give a better guess how things will goe with me, as to any prejudice. I found here two letters from my freind and yours, in answer to those I writ, and he is more positive than ever about my coming, to show you which, I will repeat some of his own words: In the first he says, "I have consider'd all the difieultys that I thinke may hapen by your coming or staying where you are, and am positive that it is most for both our advantages that you come here, so I make noe doubt of your making all the heast you

possibly can, and bring our dear little one with you, which I long mightly to see. I wrote to you five weeks agoe from Paris positively to come, and I renew it now again; for were it fitt to comit it to writing, I could convince you and all my freinds of the reasonableness of it." These are his own words, which I have transcrib'd out of his own letter, dated the first of June. In another place of the same letter he sayes, "As for writing to my brother, I shall doe it, and am most sensible of the obligations I ly vnder to him and my dear sister for their generous freindship in this misfortunat juncture. All I can doe is to beg of God to preserve and reward them and theirs, which I shall doe as often as I pray for myselfe and family; and assure them from me that if ever it pleases God to put me in a condition to be able to repay them, I shall doe it with all the gratitude and sincerity I am capable of. It is not proper on many accounts to give them the reasons that induce me to call you to this place, being not fitt to be write, but whenever a sure occasion offers, I hope to be able to convince them and all other freinds of the advantages of it." These are all his own words on the su[b]ject in his first letter. In the other of the 10 of June, "But as to the main affair of your coming hear, I am still of the same oppinion I was in my former letters, for what I have will in this countrey do both our business, and better than if we were seperat; for I should not have occasion to goe so much into company, which I thanke God is none of my inclination at this time, so, concequently, your being here will contribut very much to both our advantages, and doe thinke, and am positive in it, as I have been in my former letters, that you ought to come to this place as [soon as] circumstances will allow, which I hope will be very soon . . .¹ to your hands by my computation, for if the Act of P[arliament] does not pass for defrauding the creditors, than in that [case your joi]nture will go for the payment of debts as long as I live, and . . . ly will be for the advantage of my son, if ever it please God to restore vs, and I know my dearest will doe anything for the advantage of our deare children, so I again beg of you to lay aside any thoughts of your staying where you are, for, as I told you in my last, were it proper to comit it to writing, I could convince you and all the world of the reasonableness of it. So let me heare nothing but of your coming hear, which if you doe not, you may depend on it I shall venter all to see you." These are his own words

¹ The original is torn.

without alteration ; after which you may judge whether I can refuse, or even differ, so shall prepare as fast as I can, but am not yet quick, which frightens me, being above four months. However, God's will be done, I have, I am sure, done but what I thought myselfe oblig'd to, and must leave the rest to Providence, let the consequence be what it will. I will make no excuse for the length of this, for I know you will be glad to have your brother's sentiments in his own words. I will, if possible, to-morrow goe about chusing your things and my deare nieces', which I will doe [the] best I can to please, but am not so well able to goe about as I was, being so bigg, and find more vneasiness in a coach than I did in all my rideing. However, I will doe all that lyes in my power in that or any thing else (as I am bound) to serve either you or yours. As far as twenty guineys goes of the money, if you will please to pay them to Philip-haugh, who I was not a litle concern'd I mist seeing, and who was so kind as to lend me the like sum before I went my journey. The next post, if I can get a direction to him, I will write to return him my humble thanks. In the meanwhile beg you to doe it for me, and be pleased to ask for my receipt, which is but for 18, but I had forgot at the time 2 he lay'd out for me to a lawyer, which as soon as I remember'd I write to him about, and acknowleg'd them in a letter, which I left behind me to be given him, but doe not know whether ever he had it. Assure him that if there is any thing in my power to serve him, or any that has a relation to him, I shall doe it with pleasure, and if my condition will permit me, shall wait vpon Mr. B. before I leave this place. This morning I saw Sir George, who is very well and kind, but has his business yet vndecided, but is in noe feare of it, but the delay makes him at present not so easy in his affairs, so I can expect noe help from him, nor doe intend to mention it, though I am in some paine for feare I should be strated, being to carry the man's wife that went with my Lord over with me at my expence [by] my Lord's absolute orders. I have place for no more, but am

All yours—

My humble service to my Lord.

For the right honorable the Countess of Traquaire, to the care of Mr. William Veitch, writer, in Fosster's Wynd, Edenbrough.

229. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

London, July the 19th, [1716.]

DEARE SISTER,—I am just going a ship boarde, and sind you here inclosed the bill of what your things comes to. I wish they may please. I am sure I have taken all the paines in my power. The riding hood, lined with blue, I desire Mrs. Gordon will accept from me, as a small acknowledgement [of] what I would doe if it were in my power, in return of the trouble she has been at with me and mine. God Almighty reward you and your dear Lord. Whatever place I am in, I am sure I shall allwise be mindfull of my obligations, and whils I breath shall take all oppertunity of proving my self without deceit, dear sister,

Your most affectionet sister and very humble servant,

W. NITHSDAILL.

My most humble service to your Lord and all my dear nieces, whom I hope will like their things.

For the right honorable the Countess of Traquare, recomended to the care of Mr. William Vitch, at Edenburgh.

230. MRS. EVANS (subscribing Powell) to MARY COUNTESS OF TRAQUAIR.

Sluce, the 28th June, [July,] Old Stile, [1716.]

MADAM,—My Lady commands me to give your Ladyship an account that she is arrived at this place. I can't say she is come safe in health, haveing miss-carried; the stress of vomiting, I beleive, haveing been the occation of it, she being very [well] when she left London. We set off on Thursday, 12 at night, and came to this place on Sunday 3 in the afternoon, during which time she had a continuall vomiting. I have been in many dangerous illness with her, but never like this. We cou'd [not] reach Bruggess, tho' but three hours' journey more, without palpable hazard of her life, so have stop't here, which is a little beyond Ostend. I sent an express to Lady Lucey,¹ who has sent a lay

¹ Lady Lucy Herbert, sister of Lady Nithsdale, and then Superioress of the English Convent at Bruges.

sister this day, and all things we want. Your Ladyship's neice¹ was very ill, but she is hearty enough since come on shore. There was a gentleman in the ship with us, an Oglivy, who I founnd we cou'd trust. He was goeing post to the place where my master² is, so I sent a lyne by him to my master. The gentleman was an eye wittness of the sad condition my misstress was in, and so cou'd inform by word of mouth more than I cou'd writ ; for I was, and am now, scarce in my sences ; tho', thank God, some of her danger is abated since come on shore, which must have ended her had she been longer on sea, because the vomiting continually stress'd her. I was not so sick as the rest, God be prais'd, tho' shou'd have thought my self very ill if my misstress had not been sick. Considering how farr Mrs. Joanes³ was gone with her reckoning, the child was very small, but can give no judgement by the smallness whether it had gone back or noe, for severall reasons your Ladyship knows of (tho' we have had none of those reasons since she left your house), and but little conveinney to examine into things, there being so many passengers of both sexes, and we had no place to ourselves, goeing as ordinary people. She had a bed indeed, but there was 7 more in the cabinn besides us. I was fore'd to trust the captain of the ship with who she was att last, and, indeed, he has acted most civilly. We shall stay here till she is past danger, for we can't goe to Bruges from hence by water, but wagons or coach, and the jolting wou'd quite ruine her yet. Lady Carrington⁴ is expected att Bruges soon. Then we shall see what she will doe for her. Her brother⁵ saw her only once, the night before we came off. But she was not the richer, I assure your Ladyship. Sir George⁶ was allsoe att London, saw her frequent, but offer'd nothing, being like to loose all att the law : he promis'd to pay for her son.⁷ And now I must presume to return my most humble duty and thanks for all those undeserv'd favors your Ladyship was pleased to honor me with, and all I can promis your honour is, that I shall strive to merritt them, and show my gratitude by my care of my Lady and Lord, and all that belongs to them. It lyes not in

¹ Lady Anne Maxwell, daughter of William fifth Earl of Nithsdale.

² William fifth Earl of Nithsdale.

³ The assumed name of the Countess of Nithsdale.

⁴ Lady Anne Herbert, sister of Lady Nithsdale, married Francis Smith, Lord Carrington.

⁵ The Marquis of Powis.

⁶ Sir George Maxwell of Orchardton.

⁷ Lord Maxwell.

my power to show my gratitude to your honor by any other way, nor do I beleive I can show it in a way wou'd be more pleaseing to your Ladyship. Lady Anne¹ is continually talking of her dear aunty Traquaire and unkle, and she said she wou'd tell her aunt Carr² that she lov'd you best, but we told her she must be fond of her aunt Car. She said she cou'd not doe it, for she did not love her. My Lady will writ her self as soon as she is abl. She writ the night that we set off, and gave an account of the things was bought. They are to come by the carrier, judgeing for some reasons 'twou'd be safest. Mr. Kennett³ will take care to give you notice when the trunk is given to the carrier. I am but in a confusion, being but new come ashore, but my Lady wou'd not let me omitt the first oppertunity to let your Ladyship know how things went, so I hope your honor will pardon all faults, and give me leave to subscribe myself, madam,

Your Ladyship's most dutyfull and obedient humble servant,

EV. POWELL.

Your neice sends her humbl duty to you and her unkle, and service to her cosens.

For the right honorable the Countess of Traquaire, to the care of Mr. William Veitch, writer in Fosster's Wind, Edinbrough, Scotland, by way of London.

231. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

Bruges, the 22 of August [1716.]

I SHOULD sooner have writ to my dearest sister; but tho' my other journeys seem'd to be perform'd with safety, notwithstanding my great belly, it could not resist my continuall stress of vomiting at sea, so that if our passage had been long, I know not what might have happen'd as to my life; for, as it was, I was carry'd out of the ship in a sad condition, and it is not many days since I gott hether, for I thought it not possible to move sooner. However, I am now

¹ Lady Anne Maxwell, daughter of the Earl of Nithsdale.

² Lady Carrington.

³ Probably the Rev. Father Charles Kennet, S.J. He was professed in 1699; for some years taught theology at Liege. He died Procurator of Provence at Paris, 1728, æt. 68. [Oliver's Collectanea, § 7, p. 110.]

on the recovering hand, God be prayed. I have had two letters from your freind and mine,¹ and he seems to have changed his mind, so far as to thinke it convenient for me to try for my jointure, which, if there is any probability of getting, I shall stay here till the Parliament sitts, for till than nothing can be done in the matter. But than it shall be push't as far as it will goe. You need make no apologies for not writing to my Lord, for I will doe all that when I write to him. If my head were not a litle weake as yett, I would give you a more perticular account of his letters, but realy I am not able to apply long together as yet. I hope you received one from Evans² by my orders, as soon as we gott to Sluce, that gave you an account of my condition at that time. I did not receive your letter till I came to this place, so could not make your compliments to Sir George,³ but left him well. My sister and he, I heare, are again gott together.⁴ God Almighty continue it, and make them happy, if it be God's will. I beg you will doe me the favour to know of Docter Bennet the name of the plaster he order'd for my cheek, for I could never since gett what I thought right; and be so kind as send an account as soon as you ean, for feare the lump should grow bigger. You may direct for Mrs. Joanes, at Lady Lucy Herbert's, in Carmes, at Bruges, in Flanders, by way of London, which is all I am able to say at present, but that my heart is full of gratitude for all your favours, which shall never be forgot by her who is, and ever shall continue, dear sister,

*Your most affectionate
Sister & very humble Servt
W Joanes*

My most humble service to your Lord and all my deare neices. My litle one desires her humble duty to her dear vneles and aunt. She is very well. Evans

¹ The Earl of Nithsdale.

² Evidently the preceeding letter from Mrs. Evans.

³ Sir George Maxwell of Orehardton, Baronet.

⁴ "My sister and he." Sir George Maxwell married Lady Mary Herbert, widow of Viscount Montagu, as explained in the footnote p. 218. It seems from this letter that there had been a separation for some time between Sir George and his Lady.

The marriage of Sir George Maxwell to Viscountess Montagu is not mentioned in the ordinary works on the peerage and baronetage.

and Mary are highly sencible of the honor of your kind remembrance, and presents their most humble dutys to you and all the young ladys. I long to heare how you like your things, and that they are come safe.

For the right honorable the Countess of Traquaire. To be left with Mr. Veitch, writer in Fosster's Wind, in Edenbrough, in Scotland, London.

232. WILLIAM EARL OF NITHSDALE to his sister, MARY COUNTESS OF TRAQUAIR.

Lile, October 16th, 1716.

DEARE SISTER,—Had not my wive's illnes, (oecasioned in great parte by her travelling sooner than her strength permitted,) hindered me from writing, I should not have been so long without doing it. I am too sencible of my obligations to you and your Lord not to acknowlege them, if I am not in a capacity of doing mor. I left my nephewes very well when I cam from Paris, but it is now so long since that I supose you have had fresher accounts from them then I can give you. We are hear in [a] very dear place, but my sircumstances, (for reasons you may guess,) permits me not to live in Spanish Flanders. I long to know what my wife will be permitted to doe, that we may remoue; but as yett we know not. She will not write at present because I doe, but returns you many thank[s] for your letter, which she will answer at another time. If ther be anything in thes parts for your serviee pray lett me know, and they shall be most readly gon about by, dear sister,

Your most affectionat brother, and obliged humble servant—

My wife and I presents our most humble serviee to your Lord and all the young family, whom I hope are in good health. Pray tell my nicce Lucy that I return her thanks for her purse, and shall wear it for her sake.

To the Countess of Traquare.

233. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

Paris, February the 29th, [1717.]

I COULD not resolve to leave this place, dearest sister, without giving you an

account of the situation of your brother's affairs and mine. I suppose you have received mine from Lile, so are acquainted with the reasons of our quitting that place, and consequently have only to tell you that I immediately went to my old Mistress,¹ who, tho' she received me very kindly, yet there was great complaints of poverty, and no lightlyhood of my getting into her service againe. My first attempt was to indeaver to gett a recommendation from her to her son to take my husband into his service, but all in vaine, it being alleged that, as affairs stood at present with him, he could not augment his family, and that it was lightly he would be forced to take a journey, which being, he was rather to quit servants than increase the number; which, when I found, my next business was to see what I could get to live on, that we might take our resolutions where to goe accordingly: But all that I could get was 100 livers a month to maintain me in every thing, meat, drink, fire, candle, washing, cloaths, lodging, servants' wages, in fine all manner of necessarys. My husband had 200 livers a month, but considering his way of managing, it was impossible to live upon it. I suppose my nephew has acquainted you with particulars that I desired him to doe, that sufficiently demonstrats it was impossible; for, let me doe what I will, he cannot be brought to submit to live according to what he has. And when I indeavered to persuad him to keep in compass, he attributed my advice to my gruging him every thing, which stop't my mouth; since I am sure that I would not my heart's blood, if it could doe him any service. But it made me that I was forced to lett him have what he pleased, and only took what care I could that he was not cheated, which was all I could doe and as long as I had any thing it went. After all was gone, I was forced to take forty pounds starling that I had put out of our litle girles to bring us hether. It was neither in gaming, company, nor much drinking that it was spent, but in having the nicest of meat and wine, and all the service I could doe was to take care he was not cheated in the buying it. I had, a litle after our meeting at Lile, indeaver'd to persuad him to goe back to his master, upon the notice he received that 50 livers a month was taken of of his pension, but that I did not dare persist in, for he seem'd to imagine that I had a mind to be rid of him, which one would have thought could scarce come into his mind. However, since it was so, I never spoak more of

¹ The Queen.

it, for it was nothing but his real advantage I sought ; and I knew what absence is in such occasions, and therefore desired him to goe back, and I would stay with my sister at Bruges till I could get an answer about what hopes I might have of getting any thing done for me in England. But from the time I found he took it that way, I mentioned it noe more, but as I told you before, we stay'd till was spent all, and than came hether. And now he finding what I had often warn'd him, that we could get noe more, some of his friends has persuaded him to follow his master, he having sent him notice where he was going, and that he might come after him if he pleased, and I having noe hopes of getting any thing out of England, am forced to goe to the place where my son is, to indeavour to live, the child and me, vpon what I told you. All my satisfaction is, that at least my husband has twice as much to maintain himselfe and man as I have, so I hope when he sees there is noe resourse, as indeed now there is not, having sold all, even to the litle necessary plate I took so much paines to bring over, he will live accordingly, which will be some comfort to me, tho' I have the mortification to be from him, which after we mett againe I hopet never to have seperated, but God's will be done ; and I submit to this cross, as well as many others I have had in the world, tho' I must confess living from a husband I love so well is a very great one, for when I persuaded him at Lile, I was in hopes soon to follow him ; but now God knows when I shall see him. God Almighty keep his health, and send me the comfort of seeing him soon. He was to be at Lions last Tusday, and I cannot hope to heare from him till I am arrived at La Flesh ; for I go from hence tomorrow morning at seven o'clock. I cannot end without renewing my humble thanks for all your past favours, the having so many greater has made me still forget the cloth you sent me by Mary for smocks to your litle neice, who can like noe place so well as Traquire and Tereglis, and her dear aunt and unele Traquir is often in her mouth. My most humble service to your husband and all the young family.—I am, dearest sister, your most affectionet sister and humble servant.

Pray burn this as soon as you have read it, and keep the contents to yourselfe.

For Mrs. Young.

234. The SAME to the SAME.

[La Fleche], March the 28th, [1717.]

DEAREST SISTER,—I am in the greatest trouble and confussion imagineable to heare that you have never heard from me since I came to this place. I must confess, could I have been guilty of so notorious an ingratitude I could never forgive myselfe, after the innumerable favours and inexpressible obligations I owe you and your husband, but I will assure you this is the fourth letter since I came into this country, and the third since I was into this towne, and the fifth since I was so hapy as to have a line from you. The last I received was some dayes before I left Paris, in which I had new obligations to acknowlege, which I did before I left the place, and gave you a full account of my affairs as they then stood. I have done so in a most perticular maner of my situation and present circumstances since my being here, but in this shall only barely assure you, that noe condition I could ever be in, but an impossibility of writing, could have hinder'd me from doing it to one to whom my duty as well as inclination obliges me to show my gratitude in small things, since it is not in my power to be more materialy serviceable, which, I am sure, I want not good will to be ; as if ever it lys in my power I shall make it my business to prove in all occasions. This letter is to goe in a friend's paket, who can let me put in but halfe a sheet, which hinders me from saying any thing but that my husband is well, and my children were so the last time I heard from them.

You have, I supose, long agoe heard that our Master quited vs some six or seven weeks agoe, and it is beleevd here that you may be able to give me a better account of him than I can you ; however, God bless him, and send vs all to meet once joyfully is all I can say. We doe not as yet know what orders we shall receive from him, so cannot guess whether our stay here will be long or noe. But, however, lett me not want the comfort of a letter, for where ever Providence sends me, I will take care it shall goe after me, and you can not imagine how truly I long to hear from you. I have hitherto sent mine for you to Mr. Thomas Inness, as I had your orders to doe, which still makes me have some hopes they will at last find their way to you, which I should be glad of, not only to convince you of my having writ, but likewise because there was

several things that requir'd your knowledge. The best way you can write now is by the same freind this comes by. My most humble service to your husband and deare young family, which is all my paper will allow, but that I am, my dearest, all yours,

W. N.

For my sister T.

235. CHARLES LORD LINTON, afterwards fifth Earl of Traquair, to his mother.

Paris, May 12, 1717.

MADAM,—Tho' I wrote to my father the 5th current, and gave him a full account of all that concern'd me, yet the duty I owe to you, and the concern you have for me, (and which I know will be the greater upon the accounts you'll have had of my last sickness,) obliges to give you in this a new confirmation of my being, thanks to God, perfectly recover'd and in better health than I had been near these three months bygone. I shall not now enter upon the particulars of my past indispositions and sickness, being assured you'll have been exactlye informed of them by others, at the time I was not in a condition to write myselfe. How soon I was able, I added two lines to the end of my brother's letter to you of the 28 Aprile, and I hope henceforth, by my diligence in performeing that duty towards you, to attone in some measure for my bygone remissness. My friends here being generally of opinion that I have as much as is necessary of rideing, fenceing, and other such usuall exercises, and that it is now fitt to begin my travels, I embrace the more willingly that resolution, because it hastens what of all things I desire the most, I mean my enjoying sooner the happiness of seeing both you and my father again ; this is now what takes up my thoughts. And, in the first place, as to a persone to goe alongst with me, I shou'd have lookt upon it as a very great happiness to have one of your choice ; and since I cou'd not have the person you named, being otherwise engaged, and that nobody else fitt for me was to be found here, I take it as the greatest proof of your goodness towards me that you were pleased to condescend to my haveing one with me of whom, I know very well, nothing makes you give your approbation but my opinion of him : and I can most certainly assure you that nothing determin'd as to the person my choice (knowing

your inclinations,) but bare necessity even after your approbation. Be pleased to offer my most humble duty to my dear father, and beg of him to answer the bill I have sent by this post of eight hundred pounds Scots, which I have received from Mr. Thomas at the same exchange that I had formerly my money at, tho' Mr. Robert Gordon says he'll give me no more at that rate. I have been put to a great deal of expences by my last sickness, which are not all as yet payed. I shall not repeat what I wrote already to my father, of settling a credit for the expence of my travels. I told him also that, by the approbation of friends, I was thinking of beginning them how soon I had his returne, by taking a turn through France till towards the harvest, that the heats being over I cou'd safely enter into Italy. I am now consulting on the properest way to travel, and that is either by the common voitures, or by post, or hired horses, or by haveing an Italien chaise. The first way has the disadvantage that, besides the crowd, I must rise airy and arrive late, so that I have time to see nothing by the way. The second is much opposed by some of my friends, perhaps too solicitous and tender about my health, which they imagine is more delicate than I hope it is, and the going on horseback exposing me to the injuries of the seasons, make them more apprehensive of it than I am, and so advise me to have a chaise, which I find, all computed, will not much encrease the expense, and which is be far the most convenient way of travelling. I am in a doubt whither I shou'd take my servant with me, but I am affraid of the expense.

I am, madam,

Your Ladyship's most dutifull son and most humble servant,

CH. ST.

236. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

La Fleche, June the 10th, [1717.]

THO' I begine to beleieve, deare sister, that you have forgott there is such a one in the world as myself, having been so long without hearing from you, I have, by consequence, no letter of yours to answer. Notwithstanding which I should not have been silent such a time, but that I every post expected the conformation of my deare nephew Linton's perfect recovery, (to give you the good newse,)

for this whole month, having beg'd my nephew John¹ never to miss a post till than. But after his letting me know he had had the meazles, and it was thought he was out of danger, I never heard from him till this last post, and if he had not given me so good a reason for his not having writ, I should not so easily have forgiven him. Butt he told me that after he had writ an account of his brother's being out of danger, he grew so ill, that he was loath to put me in pain again, since his last letter, he hop't, would make me easy till he was recover'd, which he by his last assures me of. I must confess I am truly oblig'd to him for his silance, for I should have been in continual anciety till I had heard he had been well againe, for I will assure you, after you and my Lord T[raquair], I will yield to noe body in concern for him. I thinke you most happy in having such a son, he having all the good qualitys one can dessire in a young man of his age. Being yours would be sufficient to me to have a tender concern for him, and to wish him all hapiness, but realy were he not, and I knew him as well as I doe, I could not hinder myself from loving and esteeming him on his own account, so judge you whether I am not obliged to my nephew John for having spairt me so much trouble, for he now assures me he is quite recover'd. However, I intend to inclose this to him, to send you, and at the same time beg he will give me, as soon as he can, without inconveniency, a full account of his health, and if I find that he is any thing inclin'd to any decaye or weakness after it, Paris will be noewayes for his recovery, but he might pass the summer at Angires, where there is as good an accademie as Paris itselve, and where, for every thing els, he would be cheaper, that is, I mean living. It is within 10 leagues of this place. Now I have given you an account of what is nearest to you. I must lett you know that your friend and mine² is well, at least was so the last time I was so happy to heare from him. He has had another great preservation, being six dayes in so greate a danger at sea, that all the seamen left of working, and left themselves to the mercy of the weaves, and was at last cast into Antibes, from whence they coasted it to Lighorn. However, he is now safe with his master, and both of them in good health. I hope thes two

¹ The Honourable John Stuart, afterwards sixth Earl of Traquair.

² "Your friend and mine." This refers to the Earl of Nithsdale, who seems to have been all but lost by shipwreck on his way to Italy to join the King. The other narrow escape referred to is no doubt the one from the Tower.

narrow escapes in so short a time is not for nothing, and that God reserves him for some great good. I dare say noe more for feare of loosing the post, for they are just come to tell me that it is just a going, and I have my nephew's letter to writ, so must end writing, but never shall being, dearest sister,

Your most affectionet sister and very humble servant,

W. N.

My most humble service to your Lord and all my deare nieces.

237. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

September the first, [1717.]

I SHOULD be asham'd, dear sister, to acknowlege and thanke you for a letter of so old a date as the 27th of Aprill, but realy it came not to my hands till I had the hapiness to receive it from very dear ones to me, my nephew L[inton], who brought it me himself, and told me he gott it just in his last illness, and that it was some way mislay'd, so that he could not find it till he look't through his papers to come away. The reason I tell you of it is only to excuse my seaming neglect in not ansuering it sooner, though I must, at the same time, acknowlege that I have had it also by me some weekes, for I expected every day to heare from your brother, and to render my letter more acceptable, was willing to give you as late an account as I could of his health, and I was a wholl month without hearing from him, which I have not been before since he left me, and every post difer'd writing to you on that account, all which time I past in a thousand apprehentions, but now, God be prayesd, have a full satisfaction as to that point. But the remainder of his letter did not much please me, it runing all vpon the inconveniencys of living where he was, and a full and fixt resolution of leaving his master. But to the end I may give you a clearer account of his sentiments, I will transcrib his own words out of his latest letters to me, which I hope you have heard something of from my nephew L[inton,] who came to take his leave of me on Friday last, to begine his journey into Italie, and was to leave Angiers yesterday in order to it, and I desired him to lett you know it, and to beg you from me to write to him, but not as if you heard any thing of his intention, for than he will imagine itt comes from me, and

it will work less effect, but only congratulate his having chosen the part of following his master as much the wisest, and hopes he will quit him noe more, since in all respects it is the best and surest meanes for his present mentainance and future advancement of his family. I desired my nephew to let you know so much, because I had not time to write that post, but now I will give you a full account both of what he sayes to me and what I have answer'd that you may judge better of the matter, and that if thare hapens any thing afterwards, you may see that it was not my fault. To begine than by his letters from Rome : he began to be discontented ; he was in hopes that he might have had some countenance there, on the account you may guess, but was strangely disappointed, and instead of it a pretence of seremony, of not permitting them to goe with their hatts, so that they had not so much as an audience. This vexed him, as I cannot wonder it should, having gone the journey but only on the hopes of benefiting himselfe by it, his master having taken but few even of his own servants with him, so that all the expence was to fall vpon himselfe, which was not very convenient. However, as I sent him word, I hope't God Almighty reserved his reward for a better place, and that, after the favours he had received, in his tuo late preservations,¹ he ought to also accept the trials from the same hand, with some other litle motives for the doing it, whos reflections, I hop't, might render it more easy as well as meritorious. But he answer'd it in so great a banter vpon my vertue and resignation, that I beleeeve that it will be the last time that I shall venter to inspire him any such thoughts, not doubting but he makes better vse of them than I doe. But it proceeded from my good will allone. However, in what regards his temporal good, I shall not be so far wanting in my duty as not to tell him my thoughts, with a reference to his better judgment, after which I have perform'd my part, and shall submit, as I ever have done, to what he thinkes fitt. To begine, than, by the first from Urbino, of the 23d of July:—"As to the success of my affairs you mention, I beleeeve my former letters from Rome will inform you off, not much to your satisfaction, nor can I hope to have any benefitt by staying here. So that the only satisfaction I can propose to myself is to be near your person, for all my hopes of success in this place is at end. Therefore I intend, when the heats is

¹ She evidently means his escape from the Tower and from shipwreck on his voyage to Italy to join the King.

over, which will the begining of October, to speak to the K[ing] my master to come to your parts. For be assured there is nothing in this damnable contrey that can tend either to the good of one's soul or body. Last post brought vs newse of my Lady Penmure's, and severall other ladys getting their jointures, and I beleeve the same favor will not be deny'd to you on aplication, which I thinke you will be necessitate to doe, since we cannot procure from those we have suffer'd for wherewithall to subsist. But I hope to see you before any thing of this can be resolved on, being that the Parliament will not sit till after Christmass, and hope I shall not be deny'd wherewithall to enable me to come your length." To which my answer was: You may be sure, my dear Lord, that having you with me, or neare me, would be the greatest natural satisfaction I could have in this world, but I should be a very ill wife if, to procure it myselfe, I would lett you run into those vnconveniencys you would doe if you follow'd the method you propose of leaving your master. For assure yourself you will in following it, ruine your reputation and put yourselfe in a starving condition. So if you have any regard to your honor or family, leave off any such thoughts. For from that time your master will have a pretence to doe nothing for you, whereas if ever he comes to be in a condition he cannot avoid it. His next letter mentions his intended journey still more resolutely. To which I answer, that after the proufs I have given him of my sincere love towards you, methinkes I ought not to feare you could interpret my advising you to stay to any want of kindness. But tho' you were so vnjust to me, I will rather run the risk of such a thought, and pass over those of the small influence I have ever had on you in my advices, rather than have any thing to reproach myselfe of what might be in my power to doe to prevent your prejudicing yourselfe so far. Since, if you leave your master, after going so lately to him, poeple may say that you did not goe on his account, but to satisfy your own curiosity, to see the contrey at his expence, and will repine at the money they have given you to doe that. But, perhapes, not so much at what they give you to return, because by that means they will after repay themselves, by counting it as so much of your pension pay'd you, which they cannot doe if you stay, for you must live. But at a distance they will make litle reflection whether you doe or noe, having noebody to interest themselves in the matter, whereas, when present, they can't but allow you what they doe others of your quality and in your circumstances,

and that being, you ought not to be asham'd of living as your vnfortunate companions, who has noe more to trust to than yourselfe. But what would goe nearer my heart, if it were possible, chamelion like, to live on aire, is, that it would ruin your reputation ; and all your enemies or rather enviers, who thinkes others' pretentions a diminution to theirs, might make it their business to say, that it was not desire of serving your Master that made you doe what you did, but because you could not live at home on what you had, as they may pretend apparantly shows itselfe first in your quitting your Master as soon as you had seen the eontrey on his expences, which proves you came not for his sake ; and, 2dly, by spending so much more than others, which by such journeys cannot be avoided, by which, without considering the occasion, they will pretend to prove that you could not keep in eompase at home, and you know there hes been but too much talk of the latter, which this will serve to confirm. I have, I beleeve, tired you, but I thought it was necessary you should know the truth, for I know your kindness to him will make you doe what you can for his good, and the full knowledge of the matter will enable you to frame a better judgment, which will plead my excuse. I am most fully convinced, that were your charge not so great, you would be most ready to add to my small allowance. My Lord and I has already added to much to your charge to expect any such thing. May God Almighty reward you in this and the next world for your goodness to vs and ours ! And, for my part, I shall conform myselfe as far as possible. All my pain is for the trouble your brother suffers, which is not in my power to ease. My nephew pay'd me the sum you order'd, and never thing came more providentially, for I had tug'd on in summer with much adoe, but did not know in the world what to do for the addition of wood and candle, which it will enable me to gett, but I feare I must soon think of repaying it againe, since I took it vp from a gentleman, who took my bill for it on the goldsmith you bid me take it from. So I must send to inquire where the mistake lys. But, in the mean while, the having it during that time is a most providential thing to me, for it draws near the end of the time of making their provision of wood, after which, I had scarcely gott any ; and if I had, it would have been bad and dearer. Had I not had so pressing a need of it, I would not have taken it ; your son having lent your brother two hundred livers : which, if I could have found any way, this should have gone in part of

payment. But my mistress sent me word that she could not possibly help me just now. I am sorry you had such an excuse as a late miscarriage to hinder you from answering your brother's letter. I hope you were not far gone, and that long before this time you have recover'd your strength. My nephew has inform'd you how to write to him. The safest will be to send to Mr. Thomas Inness, for there is a weekly correspondance kep't by his brother into those parts. For my part, I direct strait to himself at Vrbino, in Italie, and pay the postage from hence to Lyons, but cannot yet expect an answer to the letters that has gone that way, so dare not advise it. My most humble service to your husband, and all my deare nieces. If you please to send your letters to Mr. Thomas Inness, he will forward them to me, at least I intend to beg that favor of him when I send this to him, for my nephew sayes it is the surest way for to gett it safe to you. Both my children are well, and presents their duty to you and your husband, and most humble service to all their cosens. Mr. Grant¹ is still with my son ; but Sir George,² I heare, begins to thinke that it is not necessary where he is, so I shall send him word to doe as he pleases, it being most fitt he should have his will in the matter, for he payes best for it. God reward him ! I am, my dearest sister,

Your most affectionat sister and very humble servant,

W. JOANES.

I will very soon write to my deare niece Lucy, whom I have not forgott, tho' she has me, I feare me.

For Mrs. Young.

238. The HONOURABLE JOHN STUART to MARY COUNTESS OF TRAQUAIR.

Paris, October 2, 1717.

MADAM,—I have been a great while without answering your two last most

¹ This refers to Father John Grant, S.J. In Dr. Oliver's *Collectanea* is the following notice of him :—" I find by a letter of F. David Fairfull, dated Paris, 21st March 1716, that at the request of that heroine and pride of her sex, the Lady Winfred (Herbert), Countess of Nithsdale, F. John Grant was appointed tutor to her only son, John (should be William), Lord Maxwell."—[P. 8, § lv.]

² Sir George Maxwell of Orchardton, Baronet.

affectionate letters, but I hope, when you shall hear the reason of this my silence, you'll pardon and excuse it. I have, ever since I gott them, been a thinking, together with my friends here, how to settle myself either at Angers or at Paris, in some college or in some good pension, according to your Ladyship's and my Lord's advice, so that I could not answer them till such time as I might give you the news of my settlement. At length, then, I can acquaint you that I am placed in this town, and that in the College of Plessis. I inclined, indeed, very much, and Mr. Gordon also, to have gone to Angers, and especially when I understood that your Ladyship and my Lord inclined it. But all my friends here have found it almost impracticable on many accounts. I inform'd myself by a great many persons who knew that place perfectly well, and among others, by Doctor Stuart, who had lived there for nine months, and every body agreed that it was in the first place as expensive to live in it as in Paris; and in the next, very dangerous, for the bad company which there accrues. The great number of young Englishmen who have no kind of management, have debauched all the pensions at Angers, both as to expenses and manners. They say it is so changed from what it was about 30 years agoe, that one would scarce know it. Besides all this, there are no good masters for law, and all that's good in it is the Aecademy for Riding, which, as they say, is still the best in Europe. Seeing, then, this project of Angers failed, I thought upon settling at Paris in some good place, where I might have time for the study of law and mathematicks, and be as well and with all as cheap as possible. My Lord proposed to Mr. Thomas to put me in some private pension, but the least of those was 600 livres each person, which I thought was too much. I could find no other way then but to go to some college, such as Harecourt or Plessis, where the pensions are the same with that of the Scots College, for which reason my friends advised me to go to Plessis, it being the best regulated of any College in Paris. I entered here the first October, to wit, yesterday, and am now placed together with Mr. Gordon. I have gott some particualer priviledges here, which is, that I may call in what masters I please, and not spend all my time att philosophy, which is the ordinary of the scholars here, and of all other well disciplined colleges. So that I reckon I shall have sufficient time here for law and mathematicks, besides my philosophy, and, with God's assistance, I have firmly resolved to employ it the most advantageously I can. But as for the order and method

of my studies, your Ladyship will know it fully by Mr. Gordon, who will write to my Lord within a week or two. Now, madam, as to what you proposed of managing well my money, I shall to the utmost of my power be on the saving hand. I shall give into Mr. Gordon's hand what money I have, or shall draw, except what's allowed me for my pocket, and he will keep an exact account of every farthing, how it's spent, and send it you monthly. I have not yet well computed what money I may spend, that my Lord may send me credit accordingly, but it shall be done within a week or two. In the meantime, I want some money to pay Mr. Gordon in the Scots College for my pension, and for to buy some winter cloaths, so that I must take just now from Mr. William Gordon about four hundred livres. The exchange now is very easy. I have not heard of late from my brother. The last time, which was about three weeks, he said he was at the Rochelle. I write on hast, because I would not be so much as one day without giving you news of my settlement, so I beg you would excuse me for being so short. My humble duty to my Lord, and my service to all my sisters, is offered by, madam,

Your Ladyship's most dutifull son and most humble servant,

JOHN STUART.

Mr. Gordon presents his most humble respects to my Lord and your Ladyship.
To the right honorable the Countes of Traquair.

239. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

November the 14th, [1717.]

I RECEIVED yours, deare sister, of the 12th of August, some few dayes after I had writ to you a very long letter, and a full account of all you desired to know, which made me not thank you for it till I could make my letter the more wellcome by a fresher account of your brother, which made me difer writing till now ; and having had the misfortune to be longer than vsuall without, so that now I have had the comfort of the answer from you to the letter I mention, which I return you my most humble thanks for, and for the letter which you have been so good as to write to your brother, which I suppose he has

received before now, and which I doe not question but will fix him in his resolution of staying where it certainly is so much more for his advantage to be. The supposition you made about me to him I was very well pleased with, for I am sure your advice, which alwise had a great deale of influence vpon him, will work much more effect when he does not suspect I have had a hand in procuring it. His last to me was inclosed by Mr. Thomas Inness, and in the cover he sends me word that the last he had from your son was of the 2d of October, from Bourdeaux, and that he was than very well, and safe there, so that he must now be very near, if not at, his journey's end, at least in the same contrey with his vnele. In that letter your brother tells me that he looses 40 livers a month. But that signifys nothing, if my being here could contribut any thing to my master's service, or my own good. However, your letters has had so much impression on me, that I am resolved to stay till I heare from you again. These are his own words, and in another paragraf, I cannot but flater myself with thinking that I am something more in favour than I was, which I will indeavour to improve, so that staying here till I heare from you will be the more agreeable. I thought this would be as pleasing to you as it has been to me ; so, I suppose, being now weavering, and your letter, your son's advice, whom I beg'd to represent to him the consequences of his remouving, and his being look't vpon more favorably will fix him totaly ; which will be a true satisfaction to me, and I beleeve to all those that wishes him and his family well. I am sure I prefer that to my own in it, since it must needs be els much more for my ease, as well as satisfaction, to have him with me, even if I did not love him as tenderly as I doe, which I hope there is few questions, after what has past, but suppose I did not, however, I should live much better with both our pentions together, than I can with my own, especially having the child to provide for in daily neecessarys ; and masters, of whom she has 4, a danceng master, singing master, a harpeicall master, and French master ; for since, perhaps, she may never have wherewithall to portion her, she stands more in need of good qualitys, so that I am willing to squeeze it out, even out of neecessarys to myselfe, thinking her education preferable to my wants, execept what is unavoidable to keep life and soul together. She learns to write, but [for] that I content myselfe with Evansis hand. But between all thise her day is pretty well employ'd ; for she has her English reading,

and her sampler, and has done already the 24 letters twice over, both sides alike, and all her masters are satisfy'd with her. My son has litle time besides his studys, so learns but to dance and play on the harpei[c]alls also. I am sure, now, I have given you a very perticular account of the children, which, had not you been so kind as to desire it, I should not have troubled you with. So you will excuse it, being your own desire. My niece Lucy might assure herselfe her letters would alwise be most kindly received by me, and it was not the punctilio of having one first from her, but realy I have had so many troublesom letters to write, that I have not had time. But I hope things are now so far settled, that I shall have less to doe of that kind, and than shall not faile, having not in the least forgot my former kindness and perticular concern for her, for tho' all your deare children are most truly so to me, yet I look vpon her as my own almost, having had the bringing her vp a while, when I took your authority over her. I can not but say that the few dayes your letter was a coming to my hand, was recompenced by the addition you made to it of the newse, for I am, as it were, out of the world, and it is a great satisfaction to heare how all things goes with our freinds at home. So, when my niece [writes], she must be sure to pick vp all the home newse she can. It was totall newse to me Lady Kelton's death, so I beleeeve your brother knows nothing of it as yet, except you sent him word. Poor woman, God Almighty have mercy on all Christian souls! I am sory for Colleston's misfortune, but I cannot but thinke that the young man deserves it that could be guilty of such a b[a]rbarous, treacherous way of revenge. If he had done it gentleman like, one would have pity'd him, but with a penknif is abominable. I am sory Kirkhouse is not mended by his imprisonment, but, indeed, I did not much expect he would, by his beheaviour in prison, for he lived much there as he did at home. However, I am glad he did noe worse, for I trembled for what he might have done once, as you and I know, so it is well it is noe worse. For now it is only himselfe and family, whereas he had more in his power, which I am persuaded God allone preserved. May He ever be blessed for it! I have not lately heard from your brother himselfe, but the last post from one who has by way of express, who sends me word he is very well, and makes high comendations of him. I would be glad to know how all things goes in his affairs, what debts are pay'd, that I may send him word.

The post is very near going, so I dare say noe more but that I am, dearest sister,

Your most affectionet sister and very humble servant,

W. JOANES.

My most humble serviee to your husband and all the deare young family, that noebody after yourselfe loves better than I. My children, who are both well, presents their humble duty to you and your husband, and humble serviee to all their eosins.

For Mrs. Young.

240. The SAME to the SAME.

January the first [1718.]

DEARE SISTER,—Tho' I have noe letter of yours to answer, having writ you a very long one, in which I give you all the aecount I ean of all you desire to know, and coneequently have nothing to say but to wish you and all your dear family a hapy new yeare, and many and many a one, fill'd with all the blessings and prosperitys your own heart could wish for you and yours. Did it depend on me to proeure them to you, or any that belong'd to you, I would thinke I could never doe suffieiently to return the many obligations I have to you and your husband, to whom I beg you will be pleased to doe it for me, and to all your deare young family, that I have so great a concern for, and wish I may heare the two eldest may be hapily married before the end of it. In fine, there is noe sort of satisfactions you should want could I proeure them. Butt, allas! my abilitys are as poor as my wishes are great, and, notwithstanding, those and my poorer prayers is all I am mistress of; those you shall never want as long as I live. My husband was very well the last letter I had from him, which was lately. I hope he will continue so; but I hear by a third hand that he still talks of leaving his master in the spring, tho' he tells me in his last he will take noe sueh resolution without aequainting me first. But the person came butt just now from thence, and he gives for reason to see to get my jointure, as several others. But that is a meer pretenee, for what he has an inelination for, I am sure he ean doe nothing towards it by his remouval. Besides, the same lawyers was imploy'd

for me as for the rest, but tho' they obtain'd it for others, they could not for me, which was noe surprise to me, for it was but what was to be expected, and I wish they doe but take eare that noe negleet should hapen, and that it may free itselfe, and debts be pay'd, and I am most easy vpon the matter. So pray take all the pretenees you ean in any letter you or your husband may write, not only to him, but to your son, to incourage him to stay with his master. I hope your husband will be so kind as look a litle that the best vse of the estate may be made towards freeing it, for fear that tenants should be let run on without paying, or any other thing prejudieiable. And if it were possible to proeure fires to be made some times in the house, for I am realy afraid it will drop else, and that would be a great loss. I know him to be so good and kind, that I am sure he will doe what is in his power, which you see I rely much vpon, sincee, whilst I am thanking you for favours past in old yeares, I am begging new ones for the time to come. And pray lett my nieee Luey¹ let me know a litle how things goes of that kind, sincee without doubt it will be a comfort to her vnele² to heare how things are at home, and I know you have too much difieulty in writing to desire it of you. I hope very soon to heare of your son's being happily arrived at his journey's end, but that he will write to you himselfe when he is, and it will come as soon, or sooner, than mine ean, otherwise I would not faile to doe it. I long for every post now, in hopes to heare it, though I am out of pain; because I know he stayes considerably at each place of note, as it is fitt every one should that travels for his improvement. He is realy as aecomplished a young man as you shall see. God Almighty preserve him for your comfort, for I am sure he has all one would wish to make him a great one to you. I began my letter in this litle sheet of paper because I thought I had nothing in a maner to say but to express my good wishes, but ineeneibly I have fill'd it, which proves that where one has a true kindness, one never wants matter. It is the sineerety of that has furnish't me, so lett it be never so insignifieant, you must aeept it as a prouf of the reality of my love, which, were you my own sister a thousand times, I could not doe with more sineerety, nor be with greater tenderness,

Your most affectionet sister and obliged humble servant,

W. JOHNSTON.

¹ Lady Lucie Stuart.

² The Earl of Nithsdale.

The children are both well, and presents their humble duty to you and their vncle, and their humble service to all their dear cosens, with there wishes of many a happy new yeare. My most humble service likewise to your husband, and all my neices.

For Mrs. Young.

241. FATHER JAMES GORDON,¹ S.J., to [MARY COUNTESS OF TRAQUAIR.]

Edinburgh, 22d February 1718.

MADAM,—What follows is for your Ladyship alone. I need not name those whom my landlady uses to call my freinds. Your Ladyship may remember that my landlord² was nothing the worse by recurring twice to them. This was once in prison and once at sea. The present circumstances³ threaten no small danger, and therfor I have begun already to make my recourse to my old freinds again. For I have made a promise of so many morning remembrances⁴ in order to obtain good success. I mention this designedly, to put your Ladyship in mind of doing the like, which may be done thus. First, a promise of hearing so many morning remembrances in favour of my freinds; 2dly, a promise of making so many breakfasts⁵ for the same; 3dly, your Ladyship may demand of all those under your command, that they hear so many remembrances, according to your Ladyship's intention, and all in behalf of my good freinds;⁶ 4thly, your Ladyship may also add whatever other good things are usuall in such occasions, wherin we beg favours from above. All which should be performed with a certan trust and confidence in the infinit bounty of God.

¹ Father James Gordon, S.J., after long serving the Scotch Mission, *cum laude*, was minister in the College of Arras, and was one of the three Scotch Fathers proposed to the General Thyrsus Gongales, in January 1691, to be appointed Superior of his brethren in Scotland. [Oliver's Collectanea, S.J., p. 8.]

² "My landlord" must mean the Earl of Nithsdale. Alludes to his two escapes—from the Tower of London and shipwreck.

³ "The present circumstances." These may refer to his resolution to leave the service of the King, which, if persevered in, might have been very injurious to the welfare of himself and his family.

⁴ Masses.

⁵ The Holy Communion.

⁶ The Earl and Countess of Nithsdale.

242. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

May the first [1718.]

DEAREST SISTER,—I should not have been so long a thanking you for yours of the 26th of February, old stile, but that imediatly after I fell ill of a feaver, that lasted me some 8 or 10 dayes, but, thanke God, I am now well againe, and I knew that you have too much concern of me not to be in pain for me when I am ill, which made me not writ till I was perfectly recover'd. I can not sufficiently return you thanks for the care you have taken about my son's business. I am glad it has received noe prejudice by the want of the papers, which may be had whenever call'd for, and my note sent. I wish you would be so kind as againe to inquire about the roof of the house,¹ for it will quickly fall if that be neglected. And if peets were order'd to be cast, that fires may not be wanted, and that the Major² would see in the winter that all the rooms concequenter may be air'd by turns, otherwise the house will be in a poor condition in a short time. But than there must be something made to keep them of the hearth stone, for fire may be feared in some of the rooms, so it must not be venter'd without. I beg pardon for giving you all this trouble, but I am sure you take it with a good will. I can tell you noe more of our freind's³ mariage, but that I supose it is not much to be question'd, the general report speakes so much of it. The Dut[c]hess of Courland is the person, niece, or grand niece, to the Zcar. Our freind is still where he was, tho' report has had him several times gone from that place. But I had a letter from your brother,⁴ who sayes they are still where they were, and things went all as vsual in that place. However, a short time will discover some alteration, as'tis suposed. When there is any thing worth your knowlege of that kind, I shall send you word. In one of the 10th of March from my husband, he expected his nephew⁵ the next day, but I have had several letters from him since, and he sayes nothing of him, which makes me supose something or other has hinder'd his going thether so soon, or else certainly he would have mention'd him—except having said that makes him supose he has done it, or else that being vexed at something that has lately

¹ The mansion-house of Terregles.² Major Maxwell, factor at Terregles.³ The King.⁴ "Brother," the Earl of Nithsdale.⁵ Lord Linton.

happen'd, has hinder'd him from thinking of it. I will tell you noe particulars till I know more of the matter, and than will lett you know the whole. However, if your son has been there, he will have done it. It has given him againe anew some inclinations of quitting that place and his master, but he and his is ruined if he does. My next letter will inform you more of the business, but till I know the issue, I will say noe more. As long as my dear husband is well, I care less for any other disapointment. He sayes in his last that he has been a litle indisposed, but is quite well againe ; and I beleeeve the spleen has been part of the occasion of it, which I can not deny his having had some reason for. I hope all your family is in good health. I had a most comfortable account from Mr. Thomas Inness of my nephew John. He sends me word that he improves extreamly in all things that he is put to, and gives every body satisfaction, which the hearing of was a very great one to me, whom, after his father and you, noe body takes a greater share in what regards your dear children than myselfe, or is more solicitous for their well doing, which good Mr. Thomas Inness knowing, he is so kind as to give me an account now and than, when he sends me your letters. I doe truly congratulate with you for the hapiness of having so promising a young family, which that God may long preserve to you, and bestow all his blessings vpon, as well as on yourself and husband, is the constant prayer and wish of, dearest sister,

Your most affectionet sister and very humble servant,

W. N.

My most humble service to your husband, and all the young family.

For Mrs. Young.

243. MR. JAMES CARNEGYP¹ to MARY COUNTESS OF TRAQUAIR.

Edinburgh, 21 May, 1718.

MADAM,—I was so very ill last time Lewis Gib was in toun, that I could not put pen to paper, and I am discharged either to read or writt but what's absolutly necessar, because it's thought application of the mind is hurtfull to the health, and mine has been very bad this long time. Lady Clanranauld must go to the

¹ For a notice of Mr. Carnegie, *vide* note p. 195, *supra*.

Highlands, and perhaps next week, so desires to know what your Ladyship will do with Lady Mary, whom she is mightily pleased with, as all here are. I am heartily sorie, for Lady Mary's sake, that she thinks of going, for it's the best place for her Ladyship's education in Brittain. The Dutches of Perth is to leave Lady Mary Drumond in Lady Clanranauld's lodgings; but I humbly think your Ladyship will do best to call home Lady Mary till the Lady return, tho' Lady Clanranauld would rather have your Ladyship to send in Lady Lucy, whom she looks upon as a young lady of great sense and discretion, and she would give the manadgment of the two ladys, and of her things, till her return. She desires to know, in case she go not, (for she would gladly shun it if she could,) what sort of murning your Ladyship will allow to Lady Marie.¹ Lady Mary Drumond has got a fine sute of black mantoe silk, and a common one of Norwich crape. Lady Mary Stuart needs only a fine one, for the gown and pittiecoat she took of befor for the house, being whitish, serves for her house murning. James Gordon, William Seton's nephew, is married. He cam hither to take up his money, but could not stay. So, for his uncle's sake, I have advanced all, both principle and annualrents, and have taken a right to his bond, which my Lord will please to cause George Dixon pay me againste the next tearm or Martimas. I suppose the inclosed will inform your Ladyship that my Lord Lintoun is well, and gone to Naples, but did not writt from Rome. Mr. John is also very well; and I am, with great esteem and respect, my Lord's and Madam,

Your Ladyship's most humble servant,

J. CARNEGIE.

Tho' my letter is dated this dayes date, I wrott it yes[ter]day, because then I had a litle breathing of health, that it might lay till an occasion cam. I do not remember that ever I was so il. If I had not gone out every day on horse back, I had been dead befor now; that has made me a litle better, but not recovered me. I am surprized at my Lord Lintoun's taking up money for any other, when ours has been long waiting him there. I fancy he keeps it for a reserve. When the ncwes cam first of the dear Queen's death, I had no occasion to send account of it to your Ladyship, and I have not been in a condition

¹ As will be seen from the postscript to this letter, Mary of Modena, Queen of James II., died on the 7th May 1718, and the mournings were apparently required for her.

since to writt it, and her death was no small addition to my indisposition, for she was not only my Queen, and the best of woemen, but the best friend I had in the world. My letter of the ii May, which I received upon the 8, says, she sickened upon Sunday night, i May, new stile. It was a continewed feaver, with redoublement. On Thursday it turned worse, on Frayday night stil higher, and appeared mortall, so about midnight she received the rites of the Church, sent her blessing to her son, and seemed much concerned for him, as her only care ; desired he might be informed of her last dying words, to persevere in his profession, whatever should happen ; and, continowing sensible till the last, expired Saturday the 7, betwixt 7 and 8 in the morning. Her testament being opened, she ordered a part of her bowells to the monastery of Chaliot, and her body to be depositat there, til, on the restoration, it should be transported with her husband's and daughter's to Westminstere. She ordered also by her testament another part of her bowells to be carried to the Chappell of the Scots College at Paris. Within this testament was another note to be opened but by her son, to whom it was sent next day, with the newes of her death, which he would get befor that of her sickness, which only went by post. When her body was opened, the phisitiens, finding her lungs and lever consumed, declared it was a miracle she could live so long. The desolation amongst the followers of her son, her servants, and other poor dependants, amongst whom she used to divide all her pension, is inexpressible. It's said the Regent will assist the most indigent of them, but nothing is yet certain ; it's feared whatever he do to others, he dare not help the King's followers. Upon the 18, he writts, ther's no alteration about St. Germain's since his last. Every one keeps their appartments as befor. They can know nothing about the King till the express return, because all letters from Urbino were directed to the Qucen, so are sent back. Here is more than I would have written to any body except your Ladyship, which has much fatigued me. When I read my letter to Protestants, I pass over her last dying words. Many Jacobites, both here and in England, rejoice at her death. I forewarded my Lady Nithsdale's letter.

To the right honorable the Countes of Traquaire, at Traquaire.

244. CHARLES LORD LINTON to MARY COUNTESS OF TRAQUAIR.

Rome, Juine 22d, [1718?]

MADAM,—I now do my selfe the honour to answer your Ladyship's letter of the 15th of February, which I received with a great deal of pleasure, not having heard from your Ladyship or any of the family for several months before. I had done it before this time, had not my writting to my Lord hinder'd me. I am glade to hear that the good lady¹ I saw at La Fleche is well, though I haue not as yet received any letter from her; yet I did not fail to deliver the commission she gave me for her husband. He seem'd likeways to be of her opinion, although he was a little affraid then of being obliged to go to the watters of Bourbon upon the account of his health. But I had a letter from him last week, wherin he told me that he and all his family are in perfect good health, so that I belive now he has no thoughts of removeing. Our dear friend Ned² has been lately very ill of an ague, but is now, thanks to God, perfectly recover'd. It is now about two months since I arrived here, of which a great deal has been taken up in my journey to Naples. Since my returne, I have spent my time in learning the language, seeing of antiquitys, churche[s,] and palaces, and studying architecture. But as I was entirely ignorant of the Italian language before I came here, and as two or three months can never be supposed enough to learn it, and to see all that is to be seen here at Rome, so that I propose to my selfe to stay here till the latter end of Agust, unless my Lord or your Ladyship orders the contrairy. Besides these reasons for my staying, some people tell me that [it]'s very dangerous to go out of Rome in the heats, which generally last the months of July and Agust. Mr. Panton has wrote a letter to my Lord, wherein he has shown him all the different routes of returning back, so that his Lordship has but to pitch on that which he thinks fittest. For my part, I shou'd be glade to return by Turin, because of the Court, which is certainly one of the politest in Europe, and where one may improve himselfe very much: It is what I have likeways been advised to by others. And afterwards to Paris, for though I haue been two years there already, yet I cannot say that I have been in much company there, because I was allways either in a

¹ Lady Nithsdale.² The Hon. Edward Drummond.

college at my studys, or at the academy, where I applied myselfe to my exercises. But all what I propose here, is in submission to my Lord's and your Ladyship's orders, which will be allways punctually obey'd. We have here the Duke of Queensberry and my Lord Johnstone. I haue a particular respect and affection for the Duke, and he, on his side, shows me as much civility and kindness as if I were his brother. I am affraid I shall be obliged to draw by next post a bill on my father. I take the liberty to offer my most humble duty to my Lord, with my affectionate service to all my sisters, and shall allways endeavour, with God's grace, to deserve the title of being, madam,

Your Ladyship's most dutifull son and most humble servant,

LINTON.

To the right honorable the Countess of Traquair.

245. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

June the 28th, [1718.]

DEAREST SISTER,—I must begin my letter by beging you to keep the contents of what follows to yourselfe and husband ; it being of the last consequence that [not] the least title of it should be known to come from either your brother or me. But before I enter vpon the matter, I must thanke you for your kind letter of the 17th of May, old stille, which I should sooner have answer'd, but that the day after I received it I was forced to goe to a lady's house, who sent her coach for me, and whos civilitys had engaged me so far as not to be able to refuse, which has hinder'd me some posts from answering it. Mr. H. did let me know what Munshes desired I would doe, which was to put in for my life-rent. But I received that letter when I had two such afflictions upon me, to wit, the death of my Mistris and sickness of my child, that I made not a due reflection vpon the necessety of doing it, if there were any hopes of compassing such a matter. So I beg you to send the inclosed as soon as possible to him, that all may be done that can be of that kind, for I cannot starve. And if I am able to doe without, it does not oblige me to take it, and if I have nothing, it cannot be so small an allowance as not to give me bread, which I cannot want. He speakes also of my recommending my son's business to the Judges, which I shall be sure to doe when I know who they are, so I expect his answer to the

inclosed with impatience. This is the substance of what Mr. H. tells me. Many humble thanks for your care about the sclaters and the peets. My husband is now fully resolved not to leave his Master. For when he went to take his leave of him, his Master was pleased to tell him that he had so few about him, that he would not part with him ; that he should probably be married before winter, and than he desired to have me in his family, and so desired him to leave of the thoughts of a journey for two or three months, which you may be sure he agreed to, and sayes that if noe vnforseen accident hapens, his Master will soon have a wife. This is the substance of what he sayes at the begining ; the rest shall be transcrib'd word for word, that your husband and you may be the better judges of his and my situation of affairs : “ As for your journey hether, the sooner you thinke of it the better ; therefore it is your interest to manage it with your Mistris and other freinds, so as to be ready on a call, for you cannot imagine what prejudice a delaye may doe in such a matter ; for, first come first served, they say ; and, were you here, I am confident my Master would refuse you nothing you could in reason aske, for he speakes of you with affection, and I am sure you would gaine on him every day ; so I thinke you ought to writ to my brother and sister Traquair, to see if they can help you any thing towards your journey, which I hope they will doe on the score of the furniture they have in their hands, and that it may one day or other tend to their advantage ; so loos noe time in doeing this ; and you may freely tell them that you have noe less than our Master's word for what I write.” But tho' he bid me loos noe time in writing to you about borrowing money, I would not doe it, bccause, tho' he did not know it, my dear Mistress, who was underhand the occasion of furthering my promotion, and who, tho' it must never be known, was resolved I should be about her daughter-in-law, had promist me to give me notice when it was fitt for me to goe, and would have given me what was requisite to carry me, and writ to me four dayes before her illness what she would have me write to her son in order to it, which I did the first post, and sent it inclosed in a letter to her. But, alas ! it arriv'd the day she dyed, some hours after her death. Imagine you whether her loss is not a great one to me. I may truly say I have lost a kind mother, for she was truly that to me whilst I had her. I would not write to you, being sensible that you have already done a great deal, so that nothing but unavoidable necessety could make me

mention any such thing. But, alas ! I am so far from being able to comply with my husban's dessire now, that I know not how to scaree keep myselfe from starving with the small eredit I have here, being redued to the greatest of straits. My pention never having been pay'd but by months, and the dangerous and long siekness of my litle girle oecasion'd my being in debt, even before my fateall loss. But had I not lost my deare Mistris, I know she would have supply'd me out of hir privat purse, for my pention was too small to have lived vpon, without her vnknown supplys, and even of that small pention, I have not had one farthing since her death, and if I doe not doe what my husband desires me, all hopes is lost of our ever promoting ourselves, if we slipe this oppertunity, which you will see by his other letter writ after he knew of the loss I had made, tho' he knows not yet how great it was to me. But if your husband's goodness and your's does not give a helping hand, I may not only loos all hopes, but even starve for what I see ; for I have writ several times to my sister, and she sayes she receives noe money either of her own returns from England, or what she was to get here, so whether she will not or cannot doe it, I may equaily starve for her. These are my present eircumstances, after which follows your brother's own words in his next letter :—" This minut the express is come with the sad newse of my Master's mother's death, but I am partly sure that this great loss can make noe alteration. For, to be sure, this aecident was treated of before hand, and so will rather hasten than retard what was in agitation. For your own eircumstances, I am seneible how bad they are at this junecture, but I beg you will take heart, for I can assure you my Master will doe what he can to make vs both easy. But, at the same time, to ask for as much money as is requisit for both your eloths and journey at first will, I feare, be thought too great a demand ; and, as I wrote to you in my last, I am of opinion you ought, without a minut's loss of time, write to borow two or 3000 livers on the furniture, for I have been considering, and I thinke your journey and eloths can coast noe less ; for you know you must have wherewithall to appeare here, otherwise we can propose but litle to ourselves ; and if this oppertunity should be lost, perhaps we should never have so favourable a one. So I truly thinke that if you write to my brother and sister Traquair, and lay out the thing to them as it truly is, they will never let you want to the value of what is in their hands, which I beleeve will amount to more than what you want at present,

and especially on a prospect never more to be troublesome to them, and I hope may be able to doe them more service than all this comes to. And a delaye now, and when your reception will be welcome, may be of such a consequence to us that we can never afterwards repaire it. Doe not thinke that I write this out of a fonndness to have you with me, which is the thing that I most long for in this world, but it is really what my Master has more than once told me, that in case a mariage should hapen, which he thought might probably before winter, he desired nothing more than to have you about him. This is presisely his own words which I send you, that you may be a better judge of that business." Thus ends your brother's letter on that business, which, if I had not told you in his own words, I should have been in too much confusion to have found any of myne. After all that you have done for vs, which I should be as much at a loss to express the sence I have of, never had one more obligations than we have to your deare scife and husband already, and were we to live never so long, could never suffieiently acknowlege even the kindnesses already received; and I may safely say, that if ever I am in any good circumstances so as to have it in my power to serve a friend, I shall take full as much pleasure in it, on the hopes of being able to serve you or yours, as for any advantage it may be to my own familly; your kindnesses having created so real an affection in me that I can make noe distinction between your deare children and my own, after which you will not wonder that I thinke myselfe so extreamly oblig'd to your corespondant. I send my letter for you to [him], for he never encloses any without sending me some comfortable aaccount of my deare nephews, both their improvvements in their different wayes, which I truly congratulate with you for, and do joine with him in thinking they will be both as aecomplished young men as has ever come from hence. May they daily increase in perfections, to the end they may be a lasting comfort to you and their father, to whom, as well as to themselves, I wish all the blessings of Heaven, as being with the utmost tenderness, dearest sister,

Your most affectionet sister and very humble servant,

W. JOANES.

My most humble serviee to your husband and all my dearest nieces, and assure the eldest that if I write not often, I thinke frequently of her, and love her as

entirely as I ever did. I beg the favour of an answer as soon as possible, to the same person as usual, for he alwise takes all possible eare of my letters. The contents informs you what prejudice a delaye may be, but those must be con-fided to none but your husband, whatever your answer is ; and if you can doe it, send me word what reeeipt you would have and I shall send it you, and the first money I am mistris of that can be spair'd from bare necesserys, I will repay it. For Mrs. Young.

246. WINIFRED COUNTESS OF NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

Paris, August the 6th, [1718.]

YESTERDAY, dearest sister, brought me the hapiness of yours of the iith of August. I find by it that mine to you was by an accident long vpon the way, at least before you reeeived it. I am of your mind in thinking mine to Munches would be of litle vse coming so late, but as things goes, I faney it would have signify'd as litle even if it had been sooner, since they are so in-
verat against vs. I am sory I transcrib'd my husband's words to you about the furniture, since it gave you so much mortification. But I really beleeve all he intended by it was only that he was sencible how great a charge we had been to you, and therefore would have had it sold rather than to have putt you to more. I am sure neither he nor I could have a thought that you had been so good as to take it vpon any other motive but to seeure it to us ; and I know myselfe that, except one hapen'd to want it aetually, tho' it is prety good in itselfe, yet it would yield but very litle at 2d hand, which was one of the reasons that moved me to put his own words. For I myselfe knew the value insignifieant, which would have hinder'd me from making any mention of it, and now I thinke myselfe hapy I did not, since you might have been displeas'd with what I would have done truly out of the above mention'd reason, as I really beleeve my Lord did, and therefore I beg of you not to take it ill of him. I will lett him know what you mention about the furniture of the Loekerwood's tenants, and what care you take to preserve it, if notwiths[t]anding it cannot be gott done [for] him, and I will not be the less oblig'd to you, whatever comes of it. I am sory the pretenee of your being pay'd by it has oecasion'd you so much trouble. Alas, if we were noe more indebted to you than what such a

trifle as the worth of that at 2d hand would repay, I should not be in such pain about it, tho' at the same time, if we were to buy that out of the shop, it would come to a great sum, so it is of some value to vs, tho' little would be gott for it from others. It is beyond imagination hard to force creditors, to repeat to them what money they have gott, even though their rights be hereditabie, after every body vnderstood that lawfull creditors was to take place before them. But they are masters of all, so we can't help ourselves, and the only remedie is, the general one to all things, patience, which God Almighty give vs, for we had never greater need, not only for ourselves, but our poor countrey, who has brought itself to a sad pass, when they can imprison even their peeres, and that we have noe appeal from them but to those that are their second selves; doing but only what they know is agreeable to them. I am glad you approve of the motive of my journey; I hope it may conduce to the re-establishment of the family, and I shall think mysef truly hapy if ever it lys in my pouer to be serviceable to yours, and would be the most vngreatfull in the world if I did not doe my vtmost to doe you or yours any kindness, since I am sure that me and mine had been ruin'd if it had not been for your deare selfe and husband. May God Almighty reward you! The debt he has been so kind as to buy in my son's behoof was a most singular favour, and whether he gets any benefit by it or noe, his and our obligation is noe less. I shall be sure to acquaint my husband with this new favour. I doe not wonder at what you say of a person that one would have thought should have help't me in this juncture. But so far from it, that I have not gott a 6 pence, but a promise to keep my litle girle, who stays with her. But I oblige mysef to pay what masters she has, without which she would have lost all the learning I have done my indeavours to give her, notwithstanding all my straits. But as to what you are pleased to straiten yoursef to lett me have, I am as much oblig'd to you as if I had made vse of it, but having gott something allow'd me, shall not take it, but shall never forget the favour, and shall be sure to lett my husband know it. My sister is just come to take her leave of me, so dare say noe more at present, being to goe this moment, and therefore have only time to assure you that I am, without compliment, my dearest deare sister,

All your—

My humble service to your husband, and all your deare young family.

247. FATHER JAMES HUDSON¹ to [MARY COUNTESS OF TRAQUAIR.]

[September, 1718.]

MADAM,—The inclosed note is an extract of the most substantiall parts of two letters which I got from my landlady² while I was in Galloway. Though they be of different dates, yet both came to my hand by the same post. When I got first into Anandale, the Lady M. told me that at my return to her house she design'd to come along with me to wait on your Ladyship, if some unforeseen accident did not hinder her. But when I got back thither I found not only the weather quite broke, but also her eldest son stept out of the way with two horses, for just reasons. Thus all her measures wer broke, and she had nothing left but to desire me to present her respects to your Ladyship and my Lord. The old Lady Kirkonnell³ ordered me not only to assure your Ladyship and my Lord of her respects, but also to present her thanks to both for what your Ladyship was pleased to impart to Kirkonnell about that claim of money. She told me that, years ago, Dr. James Gordon spoke of that matter to herself in her own house, and seem'd satisfied that old Kirkonnell had never received that money; and seing she thinks that some doubt may have been made of her words, she has therfor writ her sentiments to Mr. Carnegy, who, as she says, was present at her discourse with Dr. Gordon. But, after all, many a time did she recommend to me to present her thanks for this favor. The badness of the weather was a main hindrance of my not waiting on your Ladyship in my return, and therfor humbly beg the honour of my respects to my Lord and all the young quality. Within a week or thereabout I design to look out some peices for my Lord's entertainment, yet I shall not send all together. By the time I judge his Lordship may have done with the first parcell, I shall send a second. Since I came to toun I have had a line from Mary Lindsay, wherin she assures me her child is well. When my Lord has ended reading the few small pamphlets which I left at Traquair after the begining of September, they may be sealed up in a paper and addressed to

¹ A notice of Father Hudson is given in the Note p. 174.

² The Countess of Nithsdale.

³ The Maxwells of Kirkconnell, an old Catholic family in the Stewartry of Kirkcudbright.

Mrs. Riddoch. I have not yet got the letter promised me from Turin. So soon as it comes I shall not fail to transmit what I find material in it. And, in the meantime, with all respect, I continue, madam,

Your Ladyship's most obedient, most obliged, and most humble servant,
JAMES HUDSON.

[EXTRACTS from the letters of LADY NITHSDALE referred to in the above letter from Father HUDSON.]

First letter begun on the 2 August, and ended on the 4 September 1718.

Paris.

YOU give me the comfortable news that my son's papers are got safe, which I must confess eased my mind very much. . . . Endeavours were used for getting my life rent, when other people in my circumstances got theirs, and it was refused me, though granted them. . . . Nothing now but the excessive heats stops me from pursuing my journey to your beloved countrey. . . . Every body agrees that my husband is a great favourite of his Master's, and also with his first man, from whom I have received a letter, wherein I find not only my husband, but his Master likewise, invites me to come to him, and a little money allowed for my journey, but, indeed, not so much as is sufficient to compass it. And this I have not received as yet, but am put in hopes of it. . . .

Many days after she adds :—

Now I have received my money, and a gentleman ordered to go with me, whom I am to maintain, and therefor my allowance augmented, but will scarcely do. However, I am convinced by it that I shall be made welcome when I come, which is a comfort to me. By a letter yesterday from my sister T., I find they are truly kind, and do all they can for my son's benefit. I begin my journey from hence tomorrow. She means her own 9th of September.

Second letter dated at Lyons, September 12.

I AM got thus far on my journey safe, I shall write again to you from Turin.

I have received all the service in the world from your brothers here, to whom I am most highly obliged.

We are now to be at a greater distance, but I hope it may come to verify the proverb, that the furthest away about is the nearest way home.

I have left my little daughter well with Mary,¹ in a room just by my sister Car,² there not being room in her house. She is to maintain the child³ in meat, drink, and lodging, but I myself in masters.

248. The Rev. GEORGE GORDON, principal of the Scotch college, Paris,
to MARY COUNTESS OF TRAQUAIR.

Paris, 19th October 1718.

MADAM,—Perhaps your Ladyship may accuse me of negligence for not having given some accounts of Mr. John's affairs before this time, but I can assure your Ladyship that I have been thinking of writing every week for four weeks bygone, but was still hinder'd by the uncertainty of our stay here. I could not well give an account of any establishment here, when we expected advice to remove every day from my Lord Linton, for by every post from Rome we heard that he was parting, and would go straight to Lorraine, where, according to your Ladyship's last letter, Mr. John and I were to meet him. This doubtful state of life was the only reason that kept me from writing till now; and altho' even now we be almost in the same condition, I could not delay longer to write, and to let your Ladyship and my Lord know that Mr. John is perfectly well, and advances by a close application to his studies very hopefully. When he received orders from my Lord, his father, to leave the academy after three months, he had begun the fourth month, and had already ridden seven days, so that he was oblig'd to continue that month, after which he left the academy, and immediately began to fence, which he never had had opportunity to do before. He takes two lessons a day, and so makes two months in one, by which means he will be considerably advanc'd in the short time he is to stay, for his master (le Perche), the best in Paris, says, he has excellent dispositions for fencing. In the mean time he has his master of mathematicks for an hour a day; his law master is at present in the country for some weeks, as a great many of the people here are, in this season of the year. But before

¹ Mary Lindsay.

² Lady Anne Herbert, Lady Carrington.

³ Lady Anne Maxwell.

he went, Mr. John and he made an end of Justinian's Institutions. He goes on with his particular physicks with me, and I hope he may end them before he part. Besides these occupations, Mr. John learns some musick; he has chosen the German flute, a very agreeable and melodious instrument, and very much in vogue here; it is much easier than the violin, and much more gentlemanly. He plays already very prettely, altho' it be but two months since he began. This is a verry agreeable amusement to him for passing his spare hours. I hope your Ladyship and my Lord will have reason to be satisfy'd with the improvement he has made in good behavior in company and conversation, for he is look'd upon here as a verry polite and well bred-young man, and verry much chang'd from what he was some time ago. But your Ladyship and my Lord are better judges in this case than I can pretend to be, so I shall say nothing on this score till the time come that your Ladyship may judge of it by experience. I must tell your Ladyship that we have no certain accounts of my Lord Linton's parting from Rome, and, as I conjecture, it won't be so soon as was expected, upon the account that he will be verry curious to stay till a certain ceremony, that will be verry agreeable to him, be perform'd. Your Ladyship may easily guess what I mean by this ceremony.¹ I should be glade to know, if posible, before parting from hence with Mr. John, what course I shou'd steer after having accompany'd him to Nancy, for I shou'd regulate my little affairs at Paris accordingly, as I were to leave him there, or to go on with him, and I hope your Ladyship will be pleas'd to give me instructions according to your Ladyship's and my Lord's designs. Mr. John begs of your Ladyship to remember him to the Duchess of Perth Dowager. I wrot to her Grace two days ago, to make his and my compliments to her, but I believe it may be long by the way. I shall here make an end of this long letter, after begging your Ladyship's pardon for the trouble of it, and offering my most humble and sincere respects to my Lord, to whom, together with the whole noble family and your Ladyship, I am for ever, madam,

A most humble and most obedient servant,

GEO. GORDON.

To the right honorable the Countess of Traquaire.

¹ Probably the marriage of the King.

249. The HONOURABLE JOHN STUART to MARY COUNTESS OF TRAQUAIR.

Brussels, December 5, 1718.

MADAM,—I had just now the honour of receiving yours, and I beleive your Ladyship will before now have had mine which I wrote when I left Paris. Your Ladyship will know by that that my brother is in perfect good health, and is in his way to come to Naney. As for me, I am here at Brussels in my way to meet him. As soon as I came here, I went and waited upon my Lord Ailesberry, an English Peer, but originaly Scots, who indeed was very civil, and invited me the same day to dinner. Since that time wee have render'd several visits to one another. I was likewise to wait upon my Lord Falkland, a Scots Viseount, but hath his estate in England, and supp'd with him upon St. Andrew's day, with several other Scots and English gentlemen. I have been here now eight days, wherefore I intend to leave this place after tomorrow to continue on my route to Naney. While I was at Paris, I was almost every day seeing my cousin,¹ as likewise several times my Lady Carrington. I hope your Ladyship will be so good, the first time you write to the Dutchess, to assure her of my most humble respects, as also my sisters of my humble service, and my Lord of most humble duty.—I am, with all respect, madam,

Your Ladyship's most dutifull son and most humble servant,

JOHN STUART.

Mr. Gordon presents my Lord and your Ladyship his humble respects.

To the right honorable the Countess of Traquair.

250. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

January the 3d, [1719 ?]

DEAREST SISTER,—I have still difer'd writing to you since I came to this place, hoping to hav some agreeable newse to make a letter wellcome, that had so far to goe; but we still are in the same situation, and live vpon hopes, and, indeed, without hopes heart would break, but I can say noe more. But they tell vs that a short time will give vs what we have been so long expecting.

¹ Lord Maxwell.

However, I have been so long fed with the like expectation, that I should scarce have thought it worth giving you the trouble of a letter with noe better grounded hopes, but that I could not forbair giving my selfe at present the satisfaction of writing to you, and thought it was the least part of what I owe you, to wish you, your husband, and all your dear familly, many a hapy new yeare, which, could I contribut to, by part of my blood, I would not gruge it. And were my wishes and prayers of any efficacie, you would be indued with all the content and hapiness your own heart could desire. May God Almighty power down his blessings on you and yours, suitable to my wishes and your deserts ! Your brother, God be praysed, is very well in his health, but I ask'd him to day what he had to say to you, for that I was a going to write to wish you and your husband a good new yeare, and he, I dare say, does it also from the bottome of his heart, but he said nothing at that time. But when he came in again from waiting on his Master, he desired me not to write this post, for he thought by the next he should have occasion to write for some money ; to which I answer'd, that if he had but that to say, my letter should goe, for that all the world should not make me desire so vnreasonable a thing ; that we had had to much already to desire any more. He said that his relations had done more for him than mine had done for me ; and therefore, sayes I, it is most vnreasonable to ask them any more. However, by this passage you may see that I was not in the wrong to conceal from him your last kind leave you gave me of taking vp a hundred pound, which generosity, tho' vnknown to him, shall never be forgot by me, and as much acknowleg'd as if I had made vse of it. I told my deare nephew L[inton], whom I saw at Vrb. [Urbino ?] a few dayes after my arrival, that I was resolved not to let his vncle know it, for that I had made a shift without it, and I found that he was still the same man as to spending, not being able to conform himselfe to what he has, which really troubles me. And to the end that he might not make me the pretence, as he ever did, I doe not touch a peney of what he has, but leave it all to him to mentain him and his man, which is all he has, and live vpon what is allow'd mee, which is just the same sum ; and I am forced to keep four instead of his one ; to wit, a boy, to whom I must give a livery, my woman, and the child's maid ; for tho' the child is with my sister, she only gives her meat, drink, and lodging, and cloths, but I am forced to pay Mary's wages, and provide the

child in masters, that coasts me alone 36 livres a month, besides the wages, and many another small wants that my sister thinkes not of, which really keeps me very bare. But think not that I say this out of any motive, but only that you may see that it is not in my power to help my husband, and that if he sends for any money, I am not the cause of it by augmenting his expences ; for, give my Master his due, he has more than pay'd what my husband could spend, more on my account than he would have done, and my journey and his hether from Vr. [Urbino], and my mentainance till he gave me my allowance, so that I have not had a farthing of his. Now, as to other things, the great expectations I had some reason to have conceaved from my husband's letters, when he wrote for me hether, (which I sent you word for word as he wrote them,) are far from answer'd. I am kept at as great a distance from my Master as can well be, and as much industry vsed to let me have none of his ear as they can ; and tho' he is a going to a house that his family can scarce fill, I could not obtain to be admitted vnder his roof. But that and many other things must be lookt over ; at least we shall have bread by being near him, and I have the hapiness once againe to be with my deare husband, that I love above my life. And I assure you that tho' it does not work much vpon him, yet I doe what I can to perswad him to doe what is most for his advantage, at least what I thinke so. We doe not keep house, but pay so much a meal, and our servants at board wages ; and I pay what addition to his lodgings I occasion, which is only a room for Evans. Now I have given you a very true relation of the situation of our affairs at present. When there is any alteration, I shall be sure to send you word ; and if you make me any answer of any thing relating to what I have said of my husband, you must doe it in a inclosed letter directed to Evans, for he will expect to see my letter from you ; and I beg you will be so kind as to let vs know whether there is any hopes that the creditors may be pay'd, for it would be a singular comfort to think if we are pincht, at least the estate is freeing itselfe. I am sure if it does not, it has neither been want of kindness nor care of your husband's, to whom we can never be sufficiently thankfull for all his favours. I hope the Major, if he is still at Tereglis, has been carefull of keeping fires in the rooms, especialy the walnut tree dinening room. Now, my dearest sister, that my paper warns me to end, I cannot resolve to doe it without returning you a million of humble thanks for all

your favours, which the longest hour I have to live shall be remember'd with the vtmost gratitude. My sincere wishes of a happy new yeare and humble service to your husband and my deare nieces, whom I love as I doe my own children. I am, my dearest sister,

Your most affectionet sister and very humble servant,

W. JOANES.

The children were both well when I heard last.

For Mrs. Young.

251. The SAME to the SAME.

February the 6th [1719.]

YOURS of the 10th of December came to my hands some posts agoe, but I have [been] and am still indisposed of a gidiness in my head, and paine in it, for which I have been lett blood in foot and arm. I was a litle [better] some dayes after that, but am now bad againe, and the weather is so violently cold that the docter dares not purge me, which he recons very requisite. I hope after that I may be better ; but in [case it] please God I should continue, I should be good for nothing, it hindering me from all sort of application. However, God's will be done, I must be contented. I am truly sorry that my dear nieces has been all so ill, and am glad I did not know it till I can at the same time congratulate their being past all danger. I hope it will contribut to their beter health now it is over. Did their proportion of that and other blessings corespond to my wishes in their behalfe, they would abound with all sorts of satisfactions. The last time I heard from my husband he was in good health, I thanke God, and all he said to me was, that he hopet in a few months we might meet in a more agreeable way than that he mention'd before. But that he did dare say noe more. I supose you have heard the hopes we are putt in of his Master's mariage, which is so much talk't of, that it cannot well be doubted but that there is good grounds for it, so I beleeeve you will wish it success as well as I. Many thanks to your husband for his care in giving his good advice in my husband's affairs. There is noebody, I am sure, more capable of giving a good one ; nor, I dare say, does it more willingly. I am much surprised that Munchess should complain of the want of my son's papers, since I sent him

word they lay in my brother's¹ hands, and sent orders that if they were demanded in Munches's name they should be deliver'd. This was all I could doe; and shall send freshe orders, that in case they are demanded by one from him they shall be given. But except in either him or your husband's name, I doe not thinke it fit; for when they are once out of the hands they are, it is fit they should be in others that can be trusted, it being all my son has to depend vpon, and at this distance I can not find any body that shall cary them to him, so I doe not see what I can doe more in the matter than I have done. But since it is a disposition and infestment, I would have imagined that every body knew how that run, and Munches himselfe has read it, and that therefore the want of it could not be so material. But I must confess, not vnderstanding any of the law maks it that I may talk like a blind man of collours; but to prevent any further want, I will enclose a note to my brother, and another to Mr. Makeney, not knowing into which of their hands they may be at present, because they were deliver'd to Mr. Makeney on the account of having the clames drawn, and I doe not know whether he kept them, or return'd them to my brother, for I told him it was equail to me into which of their hands they lay in. I supose you know fresher newse of my nephew L[inton] then I can tell you, and more especially since it is to Mr. Thomas Inness that I am obliged to for what I have, notwithstanding my most earnest intreatys to Mr. Panton to let me know how he went on, and kept his health in his jowrney. I was forced to inform his vncl, for having sent him word when he parted from hence, he began to be in great paine, by that time he imagin'd he might have been with him, but now he finds him not to come st[r]ait he will be easy. I am extreemly glad that, together with the assurance of his health, I have that of his improving extreemly by his travels. I am sure you will have a great deale of comfort of him, he being truly such as one could wish him every way. God Almighty bless and preserve him to you, and all the rest of your promising young family, which, after your selfe and husband, nobody does take a greater share in than me. May their hapiness and all other attend you, is the constant wish and shall be the daily prayer, of deare sister,

Your most affectionet sister and very humble servant,

W. N.

My most humble service to your husband and all my nicees.

¹ The Duke of Powis.

If my brother should not have [them] himselfe, he will inform them where to gett them, and they will equily deliver them on that note. I can not write to Munches, not knowing his direction.

For Mrs. Young.

Enclosed in this letter is the following :—

DEARE BROTHER,—Be pleased to deliver to the bearer of this note, together with a letter from either my Lord Traquaire or Mr. George Maxwell of the Munches, my son's papers, and put the letter and note with those you have of mine, and it shall be a warrant for your having parted with them.

W. NITHSDAILL.

For the Duke of Powis.

252. MARY COUNTESS-DOWAGER MARISCHALL¹ to MARY COUNTESS
OF TRAQUAIR.

January 12, 1719.

DEAR MADAM,—When I had the honore of your Ladyship's last, I was so ill of a cold that I could not make it a return according to my inclenatione, and the truste you was pleased to put one me of having the young ladys your daughters frequently in my company. I wish I was cappable to serve them and answare your Ladyship's expectatione and good opinione of me. I am sure I ought to indeviore it to the outmost of my powre. I am charmed with my Lady Mary, as I dout not every body shall be when she once apeirs, which I thinke will be for the first upon Friday next, wher ther is to be a musick, and the fineste asembly has been in Edinburgh for many years. I heartly wish your Ladyship had give[n] me the liberty to chousse a sute of cloths for each of the ladys. Although my Lady Mary has one that's cleane and gentiell, forgive me to say it's not fine eneughe for her as my Lord Traquar's daughter, and as she herself deserves. My Lady Kathrine,² who is the prityest beheaved lady of her age in toun, really wants a newe sute, and the only propere time

¹ Lady Mary Drummond, daughter of James fourth Earl of Perth, married William ninth Earl Marischall. She was the mother of the tenth Earl, and of Marshall Keith.

² Lady Katherine Stuart. She married her eousin, William Maxwell of Nithsdale, comonly called Lord Maxwell during his father's life, and after his death Earl of Nithsdale.

to give them [is] whilst the town is full of such young ladies as they are. I hope my Lady Lucie will join in my opinion, the better to procure my excuse for this freedom, which I only take from the fondness I have of my young cousins, and presuming that your Ladyship will pardon it from the hand of, dear madam,

Your Ladyship's most humble and most faithful servant and cousin,

M. Marischall

253. The SAME to the SAME.

March 20, [1719.]

DEAR MADAM,—I shall ever think myself lucky when there is any thing I am capable to do that can in the least be agreeable to your Ladyship. None upon earth has more good will to serve the young ladies, but the deficiencies of our Churchmen lay under makes them more wary to let us meet Sundays as formerly, makes me see them seldom, and have it less in my power to render them any small testimonies of my regard for your Ladyship, and love to them, though I'm afraid I give a little disappointment to the ladies by not approving of their going to the Assembly in time of Lent. When Easter comes, there will be no doubt more company then will choose to go now. I could wish it were convenient for my Lady Lucie and Lady Ann to share in that diversion, which takes so much amongst the young folks, or that your Ladyship had something you'd be equally agreeable to my Lord Traquair and you, to bring your Ladyship to town, where I might be so happy as to have opportunity to show how sincerely I am, dear madam,

Your Ladyship's most faithful humble servant and most affectionate cousin,

M. MARISCHALL.

254. The SAME to [the SAME.]

Edinburgh, April 11, [1719.]

DEAR MADAM,—I am most sensible of the concern your Ladyship is so good as to take in all that happens to me. I can't say but this Lent has sufficiently

renewed the sorrowe I had in the laste, which at leaste should not have apeareid had I meet with commone civility, but ther are fewe [so] kinde and consideratt towards ther frinds as is my dear Lady Traquair ; and wer not my misfortouns become stronger then what I ever had fort[i]tude to bear, I should not be so defective in acknowliging all the favours I owe your Ladyship, must especshally that of leting Lady Lucie go last year north. I do bleeve when I hear that my daughter is out of danger of miscarying, I shall go to the countray for a longer tim as last, which I judge may be by the begining of next month. If then your Ladyship will alowe me to make my promisse good to Lady Mary, that she shall find a sincer welleom in my soliterie familly, and all the servie I can show her, it will be a continowation of the favours allready don me, as it wou'd mightly add to that honor if Lady Lucie wou'd see me befor I go. I should not aske this, did I not know how good a horsewoman my Lady is, that I hop it wou'd give her littel truble, and a gratt deall of pleasure and satissfacione to, dear madam,

Your Ladyship's most humble, faithfull, affectionat servant and coussin,

M. MARISCHALL.

255. The SAME to [the SAME.]

Edinburgh, Aprill 24, [1719 ?]

DEAR MADAM,—I am ashamed that your Ladyship should say such obliging things to me upon en oca[s]ione that binds me with much grater tays of gratitud then words can expresse. I do declare with sineerity, was it in my powre to serve the meanest of your familly to that degrea as to deserve the complements your Ladyship maks me, I wou'd with pleasure, but in this honore of earying one of your daughters to my countray housse, it's a pleasure and marke of esteem given me that I shall not pretend to make any return for, excecept in acknowligine the dewe vallowe I put upon it. The wather is so bade, and the ways deep, that I can't posit[i]vly say when I may go, yet I hop once next weeke, ore the beginning of the weeke ther after, I shall leave this toun. I wishe to God I had been so happy as to have had one hour to make a complente to your Ladyship, which I'm sure you will thinke just, but when I see my dear Lady Lucie, to whom I can say any thinge, I shall tell her my grivance,

to cary them to your Ladyship, as my kinde releatione and best frend. I hop my Lady Mary shall find our countray as agreable as Lady Lucie did. I will make it my endevoire to giv her all the deversione the company of on so much older can allowe, and she shall be wellcom as my heart can make her. This I hop your Ladyship will bleeve is said with the sam sincerety that I am, dear madam,

Your Ladyship's most faithfull humble servant and most affectionat coussin,
M. MARISCHALL.

256. The SAME to [the SAME.]

May 16, [1719 ?]

DEAR MADAM,—I can easily hop from your Ladyship's goodness to be excussed that I have not as yet returned my thanks for the laste obliging letter, and may very sincerely asure your Ladyship that nothing but the unforeseen accidents that has since happned me and mine could have put me so fare out of that duty. Now I am glad of this sure ocac[i]one by Mrs. Gordon, to tell your Ladyship that Thursday's night, whilst Mr. Wightman made a visite to my daughter and me, he was called, and one that was presente made it come to us, that it was to receve a letter as from my son Jaemes, d[i]rected to the Earle of Traquaire, representing to his Lordship that the King's service required his and all good subjects' assistance at this time. The letere, I am convinced, is forged, ther being non such come from eather of the brothers to thos that thy are more acquainted with, then thy have the honore to be to your Lord. So pray make what usse of this as may be for his Lordship's safty, and let me not be seen in it. I also beg the freedome to tell your Ladyship that my Lady Mary, as she deserves every thinge about her, as well as any young lady can do, she really wants a newe sute for the sumere, which are generally slight. My Lady Kathrine's is very prity, such as that wou'd be most proper for the other. This is all I can get tim to say at present, company being by. Wherfor, I beg your Ladyship to alowe me to subscribe my selve, dear madam,

Your Ladyship's most humble and most faithfull servant,

M. M.

257. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

May the 17th, [1719.]

THIS, dearest sister, is barely to acquaint you that yesternight arrived here our young mistress. I and my companion went out a post to meet her, and indeed she is one of the charmingest, obliging, and well brede young ladys that ever was seen. Our master can not but be extreamly happy in her, and all those who has the good fortune to have any dependance on her. To add to it, she is very prety, has good eyes, a fine skine, well shap't for her heath, but is not tall, but may be so as yet, for she is but seventeen, and looks even younger. She has chosen a retired place in the town, in our master's absence.¹ I am so taken vp this day, that I have time for noe more, but imagined that you would not repine at the postage of these few lines, and therefore chose rather to be so short, than deprive you a post from the participation of our satisfaction. All that I have time to add is, that if ever I come to have any thing in my power wherein I may be serviceable to either you or any one of yours, I shall make it my business to show that I have not forgot the obligations my husband and family, as well [as] my selfe, owes you and yours, and will doe my vtmost to testify my gratitude, and the sincerity with which I am,

Dearest Sister
Your most affectionate Son,
Wm Johnson

My husband presents his most humble service to you, and both of vs to your husband and our deare nieces. I have new obligations to my nephew L[inton] for the kindness, my sister sends me word, he shows my litle daughter, who was very well, as likewise my son, when I heard last. Be so obliging as to communicat this piece of newse to my freind Mr. Hud[son], for I have not time to write it him this post, and he sent me word you were at present in towne.

For Mrs. Young.

¹ This refers to the Princess Clementina, now become the wife of James III.

258. MRS. MARY LINDSAY to MARY COUNTESS OF TRAQUAIR.

Paris, May the 20th, 1719.

MADAM,—I had the honner of your Ladyship's. I am sorry it was of an old date, because it will make me still more guilty of a fault, not voluntary, but dare not presume to give your Ladyship the trouble. Your Ladyship shall never complain of me for that fault more. Alltho' your Ladyship was pleased to do me the honer to desire me att parting to do it, yit I was still ashamed to take upon me. Our mistress and mastir ar well. I had a letter this day, my mistress hopes to see us soon. I had wret your Ladyship had honered me with a letter, and your ancioity about the child,¹ which will newer be wanting on my side to lett know, having had the honer soe well of the proofs, which shall newer be forgote by me, if I dare say, to hav all love and respeck for your Ladyship and all your noble familly, and my con[s]tant prayers and good wishes, as I think myself bound in duty to doe. My Lady Carrington gos a tour round France with her neice, Lady Mary Herbert, and we are put into another monestery, the English Nuns, where your Ladyship's two ladys was. We are much better, for att my Lady's the child's time was lost; now we have our masters most regular, and the child is very well, and loves your Ladyship, I will ashure you, from her heart, and all her dear cousens. We have [the] honer to see my Lord Linton, with hiss brother, Mr. John, oft times. Mr. John is groun tall sinc he went from Paris, and Lady Ann, I belive, will be tall; for her brother,² I am afraid not, but I have not hard from him this two month, but I hard from others he was well. We presumed on day to borrow my Lord Linton's coach to Lady Ann to make her wesets, for we hav a great many to return of the best sort, such as Prince Lengre and the great Shamelar, and Mr. Law's³ daughter. Alltho I put her last, she may be the first, for she is the richest; indeed, all I have named was most particularly civill to my mistress, and allso to us. I hope our aunt will doe well for us; she says soe, and seems to be fond of the child. I wish it may be soe, she has don for others, and I hope

¹ Lady Ann Maxwell, only daughter of the Earl and Countess of Nithsdale.

² Lord Maxwell.

³ Mr. Law was the manager of the Mississippi scheme in France.

will for us. My mistress and master are bothe together as yet, and the shorter time thay are the better. I know your Ladyship's concern too well, and tenderness for both, and am shure thay ar senceble of too ; I can swear, for my mistress is most sinceble of your tru love and affection, and I hope to live to have honer to see you both live togeather in muttale lowe and freindshipe ; as two such honerable persons merrits, and newer in the power of any to disturb it. I bege ten thousand pardons for this liberty I presume to take ; I know your Ladyship[']s goodness and bounty will take it as I meane from a faithfull sincear heart to both the famillys. I have no particular word to send your Ladyship, but I shall not faile to doe myself the honner to lett your Ladyship hear how all is. I hear my mistress [is] to be soon hear, and when I know more I shall not neglect to give an account. I must bege your Ladyship's permission to lett Lady Lucy know there is a good nun, one Madam Houerd, that loves her Ladyship mightly, and says she has writ 3 times to her Ladyship, but newer an ansvear, desire[s] to make her compliments in the most profounde maner I can to your Ladyship and Lady Lucy ; Lady Ann has forgote to writ, or she would a prevented Lady Lucy, but the first shall be to your Ladyship. I hear give her own words : Tell my dear aunt that I love her with all my heart, and I allways shall love her and my dear uncle Trequare ; and will allways love them and all my dear cousens, but my deare Tete goose the best, and I wish I had my cousen Babe and my cousen Pegge to play with.¹ She is very fond of my Lord and Mr. John ; for my Lord she make him ashamed, for she gets down on her knees to ask blissing, for he is her godfather, and then my Lord blush and says, God bless you. Lady Ann give her humbl serves to my Lord and your Ladyship, and I bege your Ladyship's pardon for all this troubl I presume to, and I am, madam, with the profoundest respect,

Your Ladyship's most humble and most obliged and most obedient servant,

MARY LINDSAY.

For the right honourable the Countess of Trequare.

¹ Ladies Barbara and Margaret Stuart, twin daughters of the Earl and Countess of Traquair.

259. CHARLES LORD LINTON to MARY COUNTESS OF TRAQUAIR.

London, September 12th, 1719.

MADAM,—I had the honour of your Ladiship's by Horsebrugh, and can not indeed express the concern I was in when I red it, and found the too just reproachs which your Ladyship made me upon the account of my silence, a great fault, madam, I own, for which I earnestly beg pardon. But with all submission to what your Ladyship may think, I do protest, with all the sincerity of my heart, that it did not proceed from want of dutifull respect to my Lord and your Ladyship. Besides, madam, by what your Ladyship writes, one of my letters is certainly miscarried. I hope in God never to be so monsterously ingrate as not to endeavour to make suitable returns to my Lord and your Ladyship for all the kind favours and indulgences I haue received ; for I am sure nobody on earth can have a deeper sense of them than I. As to whatever negligence their might have been on my side, without offering to alledge any excuse for my selfe, I plead guilty, and beg my Lord's and your Ladyship's pardon. I assure your Ladyship I am most heartily griev'd to think that I have offended the best of parents ; 'tis, God knows, what I thought never to have done, and what I hope, with God's grace, never to be guilty of again. Now, madam, as to my staying at Paris beyond my Lord's allowance, if I had but the least thought that upon giving my reason his Lordship or your Ladyship wou'd have been offended, your Ladyship may assure yourselfe I wou'd never have done it. But the Duke of Queensberry pray'd me, as a mark of friendship, which I was willing to cultivate, to stay a fortnight upon his account, that so we might go over to England together ; that being expir'd, he obliged me to stay another fortnight, and so on, till the two months were expired. His friendship and mine is very great, and in oblidging him I did not in the least dream I should offend either my Lord or your Ladyship ; but, excuses aside, I again most earnestly and heartily beg pardon of both. 'Tis true, dear madam, my expences have been verie considerable, but the way of liveing now abroad is so very expensive, that their's no shunning it ; for any man that designs to improve himselfe by going into company, he must keep a coach and two or three footmen in livery, go gently dress'd, have good lodgeings, give some times little entertai[n]ments to his acquaintances, etc., all this is very deer at

Paris ; yet no gentleman can dispense himselfe with any of these things. For my part, I endeavour'd to make as little appearance as possibly I cou'd, and what ever extravagant your Ladyship may think I have been, I assure you my intentions were good, for I made no expence but what I thought was necessary for my improvement. However, I do not pretend this to be suffieient to excuse my too great spending ; I with all submission acknowledge my fault, and beg your Ladyship's and my Lord's forgiveness. Since I received your Ladyship's letter, I have had no opportunity to speak to the Duke about Mr. M'Cormack, but shall do it the verie first oecasion I can gett, and I hope effectually too, provided any of his Grace's doers back me in it. Sir George Maxwell has been particularly civil to us, likewise my old Lady Seaforth has been very obliging, and made us dine with her. The Duke of Hamilton was so kind some days ago as to come and see us. Tho' he has had the disadvan[ta]ge of but an indifferent education, yet [he] has a great many good qualitis, so that I don't in the least doubt but he will prove a fine man. He designs to begin his travells next week. I beg of your Ladyship's goodness to lett me hear from [your] Ladyship the moment after my Lord and your Ladyship have forgiven, for till then I shall reckon my selfe very unhappy. I dare not presume to offer my most humble duty to my Lord, but I assure your Ladyship whatever I have been hitherto, I shall at least henceforth endeavour to the outmost of my power to be worthy of the title of being, madam,

Your Ladyship's most dutifull son and most obedient humble servant,

LINTON.

I am forc'd to put your Ladyship to the expenees of a cover because the paper is so blotty.

To the right honourable the Countess of Traquair, at Traquair, by the way of Edinburgh, to the care of the postmaster.

260. WILLIAM FIFTH EARL OF NITHSDALE to the COUNTESS OF TRAQUAIR.

September 13th, 1719.

DEAR SISTER,—I hope you will not think me so ungreat for all the favours I have reeeved from your dear Lord and you, as to neglect my returning you my most humble thanks for your so kind answering my last bill, especialy

when you had nothing in your hands of mine, and at a time when I know you would be streaten'd on account of your childrien ; so you may be sure it was upon an extremity which obleiged me to doe it, soe I hope you will both p[a]rdon me, and belive ther is non living can have a greater sence of greatitud then myself. We have had thes som moneths past severall mortifications, which I am affried you will cum to hear : but be not surprised, for the person that can redress it is, thank God, not far from us now, but is not as yett cum't to this place. All this foolish affaier hes been occasioned by a hote-headed young man, who, I must say, oues me obligations. You may gues how I meen. But, thank God, all that is cum't to a treu light, and both my wife and [myself] hes had most obliging, kind letters from the persons who can redress us, with all the protestations of frindship wee can desire or hope for. However, this affaier hes obliged me to draw a secund bill, which prosided onle from my not trukling in the absen[c]e of my friend. But your Lord is not to take notice of it, but lett it be protested, for I shall not want it, now my friend is soe neer. You must write a letter, ether to me or my wife, which may be shewen, telling the trew mater of fact, that all is in the hands of the creditors and Goverment, so that I cannot expect on fardin of my oun. You will think stringe of this, but I will satisfay afterwards of it. If I wer sur letters cam safe, you should know every thing that regeardes us, soe send me word what is the best way to send. My wife and I gives you and your dear Lord our most humble services, and both of us to all the dear family, particularly to your eldest doughter and son, whos charactor, both heare and every place els he hes been in is soe justly and honourably established, that I am co[n]fident he will not only prove a comfort and satisfaction to his parants, but an honour to all thos conserned in him. Adew, dear sister,

I am, most affectionately all yours,—

You shall hear from [me] when my friend cums to this place.

For Mrs. Young.

261. CHARLES LORD LINTON to his mother, MARY COUNTESS OF TRAQUAIR.

London, September 21, 1719.

MADAM,—I had the honour of your Ladyship's most kind and tender letter of 7th instant, and, indeed, nothing cou'd be more wellcome, especialy comeing

after that which I had by Horseburgh. Your Ladyship is so good as to assure us of my Lord[']s and your earnest desire to see us. We are deeply sensible of both your goodness, and shall every day thank God on our bended knees for blessing us with parents of such worth ; and as we constantly discover new proofs of your tenderness and affection, so we shall, by God's assistance, dayly endeavour to show more and more our duty, gratitude, and respect. Our impatience to have the pleasure of seeing my Lord and your Ladyship was such that we had taken post home immediately on our landing, had we not been desirous to improve ourselves some what more by seeing a little this part of the island, in order to make ourselves still more agreeable to my Lord and you, madam, by being able to talk with you about this place, as well as those abroad where we have travell'd. I have made my Lord's and your Ladyship's compliments to Sir George Maxwell, who sett out for Scotland last week, and since I cou'd not do it in any terms so proper as your own, I show'd him that part of your Ladyship's letter. He said he did but part of his duty to the family, and wou'd ever be proud of an occasion to show himselfe my Lord[']s and your Ladyship's obedient humble servant. He has been particularly kind to us, and besides other civilitys, which I beg your Ladyship wou'd thank him for, he has made me [a] present of a very handsome gold watch. My brother and I are to go down tomorrow to Oxford. It is a place which every body has advised us to go and see ; besides, we have had a very pressing invitation from Lord George Dowglass, the Duke of Queensberry's brother, who is there at the Colledge. I belive I shall be obliged to draw upon my Lord next week for £100 sterling. In obedience to your commands, I made my Lord and your Ladyship's compliments to the Duke of Queensberry, who received them very kindly, and beg'd of me to return his in the handsomest manner. I spoke to his Grace about Mr. M'Cornoek ; he answer'd me that Sir David Nairn had engaged one for him, but did not know who it was ; that he wou'd be very glade if it happen'd to be the personne I recommended, if not, that he was sorry it lay out of his power to take him, having already another engaged. I'll endeavour to please my sisters in their gowns, and shall take care in every thing to obey most strictly all your Ladyship's other commands. Pray, madam, do me the justiee to be perswaded that there is nothing that I so impatiently wish for as to receive on my knees my Lord's and your Ladyship's

blessing ; that happiness, I hope, now will not be long deferr'd. Lett me beg leave to offer my most humble duty to my Lord, and my affectionate service to all my sisters.—I am, with the greatest respect and sincerity, dear madam,

Your Ladyship's most dutifull son and most obedient humble servant,

LINTON.

I beg your Ladyship's excuse for the bad writt, which I know you wou'd easily grant if you knew the hurrey I am in, for it is now past one o'clock, and I must be in the stage coach by 5 in the morning. My brother is very well.

To the right honorable the Countess of Traquair, at Traquair, by the way of Edinburgh.

262. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

October the 10th [1719 ?]

I HAVE defer'd some time thanking my deare sister for her last, because I received it just after I had wrote a long letter, which I suppose you have received, and when there was a probability that perhaps their might be some alteration in regard of our own perticular affairs that might be worth your knowlege, but finding there is noe likelyhood of any echange of that kind, I would noe long[er] defer writing. The first of August, our young Mistress went to meet her husband, who could not come hether by reason of the great heats, in which time it is thought dangerous to come into this town ; so she went to a small place six or seven post[s] from hence, a very good aire, but so small a place that she took but one person with her, which was Mrs. Hay. The straitness of the place was the reason given for my companion[s] and my stay behind ; but there is some reason to beleeve that our Master did not care for to have more about him than what he has there. He has not permitted any body to goe to him but those he sends for, which has been but few persons, and such only as those who addres'd themselves to Mrs. H. brother or husband. He talkes of coming hether within a month at furthest. He is, as they tell vs, very well, and his wife to, and mighty faund of one another, which is all the account I can give you about them at the distance I am. I did not faile before my Mistress went to make your compliments in the manner I thought was most agreeable, and

they were very obligingly reeeived. She remembers your son very well. She saw him in her solitude, before she was married, and has spoak to me several times of him. I give you many thanks for the eare you are so good as to take of our house and affairs. I had a leter from my F.,¹ Mr. H., who told me Ca—eh² had spoak to the faetor, and that care was taken about the peets and puting fires in the rooms, and that Nany Maxwell and her B[rother] was to doe it; he told me also that it was thought my son's elame would prove good, and the tryal would soon come on. As before mention'd, our Master and Mistress comes hether, and are, probably speaking, to stay here this winter, tho' the master of this town does not much approve of it. Where we shall goe after, God knows. His eompany he vsed to have about him is much diminish'd: many are gone, and more is a going daily. My companion is a going to her husband, and I feare neither [he] nor she intends to return, so that I am the only [one] now left of my station; and shall in all appearanee be yet more traml'd on than we were both in our Master's absence. At his return we hoped for some redress, but now we have reason to beleeeve we are to expect none, for every thing is approved that was done in his absenee, which has made many one withdraw, and I wish that may be the greatest ill that follows from the retirement of some. My husband would fain has been of the number and have had me, but I told him my pleasue did not draw me hether, nor the slights and troubles I daily meet should make me goe, but be overlook't by me for the same end that brought me, which was the good of my ehildren and family; so I intend to aet as if I saw nothing but what pleased me, and expeet God Almighty's time for an alteration. You have, or ought to have, received a letter from my husband the last post. He ask'd me whether I would write to you, beeaue, says he, I would have you tell my sister that I must draw vpon her for other 50 pounds, but doe not desire she should answer it. I answer'd it was much more fit he should write it himselfe, which he did; but what was in the letter I know not, for he did not show it me, nor never does let me know any thing about his money matters but what I find out. Now the matter which I vnderhand found out is this, nothing ean here be done without its being known, and by coneequence the 50 pounds which you were so good as to send him vpon his bill was a secret to none but me; every body knew he had drawn vpon you but

¹ My F. Mr. H., Father Hudson, S. J.

² Ca—ch, Mr. Maxwell of Carruchan.

myselfe, that was inform'd but by your letter, and now he finds what I apprehended immediatly upon the knowlege of his having done it, that he has done himselfe a great prejudice ; for poeple now sayes he can get money here as well as others from his contrey, which will be sure to be told his Master, and he will never get but his bare pention, which he cannot, or rather will not, conform himselfe to ; so he thought he could not draw himselfe out of this bad step he had by his own fault thron himselfe into, but by getting a bill protested to show his Master. It was the best, I confess, he could doe. But, alas, there was another reason that oblig'd him to it ; for he still keeps his vsuall way of promising to pay it at such a time, and then keeps not his word, so the banquier grew impatient, and he has made him beleeeve that the answer of this will bring him his money, whereas he knows the contrary. Now I should have approved of his having indeaver'd to have a bill protested to show, since he had put himself in a necessity of doing it, to lett poeple see the truth of what he had said ; but I doe not of the money's being all taken vp and spent already, which is but too true ; so that if his Master does not pay it, as I very much feare he will not, his reputation is quite lost, and he has put himselfe in circumstances such as he was at home, of being constantly dunn'd without hopes of getting out of that torment. All my comfort is that I have had noe share in this misfortune, for he has never been the man that has offer'd me one farthing of all the money he has taken vp, and as yet all is spent, but how, is a riddle to me ; for what he spends at home is but 30 pence a day in his eating. He has had but one sute of cloths since, and now he must have one for winter. For my part, I continue in mourning as yet for want of wherewithal to buy cloths, and I brought my mourning with me that has served ever since I came, and was neither with my Master's or husband's money bought. But now I have noe body to address my selfe to but my Master for wherewithal to buy any, and, if he speaks [the truth], litle have I ask't or had. I doe not know how he spends it, for we are equill in the eating part ; and as to lodgings, I pay for Evanses, so that I doe not augment the expence he was at before I came, and yet he has taken vp, as I am inform'd, to the value of a 100 pistols since his Master went from hence, and has had his pention, which is 200 livers a month, exactly pay'd him. He keeps but one man, to which he has noe livery to give, so that he has but his board wages to pay, any other wages he has as yet never pay'd him any, as the man complains

frequently to me of. Of the money my husband has taken vp, I will be obliged to tell him the truth, that I have not had one farthing of it, nor know not of his having taken any from himselfe, tho' from others, I know between you and I, (but that I need not tell my Master,) that he blames me and his daughter for what he is oblig'd to take vp; whereas I have not had one single peney, and for our daughter, whos masters I must pay, or she forget all the litle I have been at the expence of before, and have done it hetherto, I have neither pay'd out of his nor my own pention, which is to small to doe it, but that I had 30 pistols from the Pope for her, which has done it. But now they are at an end, and I know not what to doe; for, as to my sister, I suppose she will not see her sta[r]ve or goe naked, but for more I cannot rely on. This is the bare truth of my circumstances, and I am sory even to you to tell them, because that it is a reflection on my husband, but I thinke it is my duty to clear myselfe to his relations, atleast to so neare a one as you; and doe not thinke that it is want of representing it to him, for that I do not faile, and have done it so much, that, indeed, I have reason to think he would be much better pleased if I were not with him, for he would than be at his freedome to act as he pleased; whereas now he is in some constraint, which I am sory to put him to, since it has noe other effect then giving of him trouble, without benifit; whereas it is but the latter that I wish to be to him, and the first I would most willingly take vpon my selfe to free him from it, if it were in my power. I am truly sory, my dearest sister, to give you also the mortification of this vncomfortable account; but, alas! I cannot help it, for it is most fit you should know how things stands with vs. I wish I could give you at least some of our favour with our Master and Mistress, but whoever is out, there is noe lightlihood of our being in; however, nothing of my side [is left undone], whatever constraint I put myselfe to, so that I will have nothing to reproach myselfe. I beg my humble service to your husband and dear children, and assure yourself none can be with greater affection than I am entirely yours.

I take this litle snip of paper to acknowledge the favour of your most welcome letter of the 21st of August that gives me good newse of my son's gaining his plea, which is certainly the effect of your husband's great care of our affairs, which can never be sufficiently acknowleg'd. I have not terms to express my gratitude, nor return any proportionable thanks to the obligations

we owe him and you ; God must be your reward ; but I hope we shall never be wanting in the gratfull part, at least in our hearts, till God enable vs to show it by our actions, if ever He does. If not our prayers, good wishes and constant acknowledgement must be accepted. I but this minet received the letter, because of its first going to Montefiosconey. I beg you to add to my former obligations to you that of expressing my grateful acknowledgements to your husband.

For Mistress Young.

263. MARY COUNTESS DOWAGER MARISCHALL to [MARY COUNTESS
OF TRAQUAIR.]

November 21, [1719 ?]

DEAR MADAME,—Ther is not any thinge could have hindred me from congratulating your Ladyship upon the arivalle of my Lord Lintoune and his brother, but the indispositione of my young charge, which happned about that time. I am hopfull your Ladyship dos me the justice to bleeve that every thing which is a joy to your Ladyship givs me a reall satisfacione, and that non who has the honore you have brought me, of being a relatione to my Lord Traquair's family, wishes it more prosperety then what I do. I can not by this oca[s]ione have the pleasour to wret to my Lady Lucie, wherfor I beg leave to ofer her and my Lady Ann my most humble service, as I do with much affectione to my Lady Mary and Lady Kathrine. Thy will not dout of the regratte I had to part with them from a place wher thy had the esteeme of every body that see them, and I can sincerely asure your Ladyship never any young ladys left more frends and a better character behind them, which added much to my fondness of them as my coussins, and I hop will incurage your Ladyship to give them the same truste of ther own conducte when you shall finde it againe convinent. I shall be glad to hear that I may expecte to see your Ladyship in toune this wintere, tho' I can not have the pleasoure I propossed of being in your nightbourhood, yet it will still be a singulare one to me that givs me a neirer opertunity of testefing that I am, without complement,

Dear madame,

Your Ladyship's most faithfull humble servant and most affectionat coussine,

M. MARISCHALL.

264. The SAME to [the SAME.]

December 22, [1719 ?]

DEAR MADAM,—Ther can not be any thing mor a pleasur then the confidance your Ladyship puts in me, as to the respect I hav for your children, execept ther own sweet eompany. The two young ladys in toun are so traetable that ther is litel ean be done to informe them in poynte of manours ore eonversatione but what thy allready know, and I am told thy do very well at ther sehools, of which I hop your Ladyship shall be satisfied when you see them. I had the honore to-day to asure my Lord Lintoune that I still flater myself of waiting one your Ladyship when I am a litel more cassie in my bussenes and the days longer, till then I expeete my Lady Mary will passe me my promess. I pre-sum to put the inelossed in to your Ladyship's covere, which I ought to hav left open, but I was afear'd she wou'd hav been angrie with me, as I dout I have put myself otherway in some haserd without your Ladyship interpos in behalf of, dear madam,

Your Ladyship's most faithfull humble servant and most affectionate coussin,

M. MARISCHALL.

265. The SAME to [the SAME.]

Edinburgh, January 26, 1720.

DEAR MADAM,—The grate sence I have of your Ladyship's repettet favours is such that I am at a losse how to expresse myself upon that subjecte wher I owe so much, maks me rather ehose to be sileant, and hop from your Ladyship's goodness that you will still eonsidere me as one of the most sincereste of your servants. It is a grate joy to me that the time approaches when I expectte the pleasour of seeing your Ladyship at this pleae, wher nothing but en unforeseen misfortoune shall hindere me from the happnesse I proposse in your agreable eompany and the young ladys', to whom I beg leave to make my eomplements. My daughter Wigtoune¹ is so tender, I wou'd gladly perswade her to come to toun, and I do not dout it will be a prevealling argument with my Lord Wigtoune to complaye, that he shall find my Lord Traquaire befor him.

¹ Lady Mary Keith, Countess of Wigton.

My doughter Garlies¹ is in perfette helth, and I hop in her own housse, sine I am told severall of the gentellmen of that countray who was in toune seemed to wish it, which is more then I ever heard from her. The master is in very good helth, and Lady Clem.² recovred. Its your Ladyship's kindnesse givs me the asurance to truble you with a fullc acounte of all my familly that I hear from, and wish it come in time to go with Mr. Stewart, sine last night I was hindred by indvoiring a reconsillatione betwixt Hardone³ and his mother for his mariage with Lady Jean Arskin; every body most own it a losse to a boy that wants nothing so litel as a wife, and shall by it losse his eudcatione. This is the only news in toune, except what happned in the Duchess of Gordon's⁴ Sunday laste, which my gratte conser[n]e for is, leaste that shou'd discourage your Ladyship from giving your frends the satesfactione of seeing you in this pleace, which is much longed for by, dear madam,

Your Ladyship's most faithfull humble servant and most affectionat coussine,

M. MARISCHALL.

266. WINIFRED COUNTESS OF NITHSDALE to her sister-in-law, MARY
COUNTESS OF TRAQUAIR.

March the 9th [1720.]

Tho' I have but a moment of time, deare sister, yet I would rather write but a line than difer a post to lett you know that our young Mistress is with quick child, God Almighty be prayسد, (which newse, I am sure, will make you not gruge the postage of this, tho' never so short letter,) which, I am sure, noe body does more rejoyce at than myselfe, tho' I must tell you, at the same time, that I was never acquainted with it till it was publickly told, and that Mrs. Hay⁵ had felt it stire, who is onc, as you know, that has never had any children. But, however,

¹ Lady Anne Keith, Lady Garlies, afterwards Countess of Galloway.

² Lady Clementina Fleming, daughter of the sixth Earl of Wigton.

³ John Scott of Harden, married Lady Jean Erskine, daughter of Alexander fourth Earl of Kellie.

⁴ Lady Henrietta Mordaunt, daughter of Charles Earl of Peterborough and Monmouth, married Alexander second Duke of Gordon.

⁵ Marjory, third daughter of David fifth Viscount of Stormonth, married the Hon. John Hay third son of Thomas sixth Earl of Kinnoul. Mr. Hay was created Earl of Inverness by James III.

I say not that to question the truth of it, for my Master told me this day that she now feels it every day ; but only to lett you know that, tho' I have had occasion to be better versed in those things, having been so long married, and had so many children, yet they prefer one who has had noe experience of that kind, and my Mistris has not so much as ever lett me know how she was in any kind, and when she was indisposed, which she has been frequently since her being with child was spoak of, and that I was there constantly 3 times a day to see how she did, I never was thought fitt to be admited into the secret, but it was told me, by her selfe and others, that it was nothing but a cold, tho' I knew in what condition she was. All these behaviours, join'd to what I have already acquainted you with, makes me suppose that when it is born I shall have as litle to doe than as I have now ; which, if it happens, I suppose you and all the rest of my freinds will be than convinced that my longer stay here can be of noe benefit to my family or children, and, having lodgings to pay more than the rest that lives here, we cannot live and put our selves in decent cloths with what is allow'd us, so must goe to some cheaper place, where I may live quietly, and out of the dayly slights and mortifications which I daily suffer, and have taken the resolution neither to see, here, nor vnderstand, till that time is over. I beg you that, as soon as this comes to your hands, you will lett me know yours and your husband's opinion, for it is by my husband's orders that I write this to you, so beg you will not difer your answer. I have noe more time, being just now forced to goe to see my Mistress, who keeps her chamber, but, I thanke God, only for precaution, so have only time to present my humble service to your husband and deare children, and remain, deare sister,

Your most affectionet sister and very humble servant,

W. JOANES.

My husband presents his most humble service to your husband and you.

For Mrs. Young.

267. The SAME to the SAME.

March the 19th [1720.]

I MUST confess, deare sister, that I must needs seem very faulty to you in being so long without returning you thanks for the favour of yours of the 10th of

December, but I was taken that very day I received it, or a few dayes after, with a pluritick stich, which has been like a plague in this towne by the mortality it has occasion'd, but our contry poeple has almost all escaped it, and I, tho' I had it, came of very cheap, tho' it left me an indisposition that I can't say I am altogether free of as yet, but doe, notwithstanding, goe about as vsual, and let it wear of, as I suppose it will doe of it selfe.

Your brother told me, as I sent you word, that he had writ to you, and I gave him your answer, which, he not being at home just when it came, was left in my hands; but, except that perticular about the bill he was to draw vpon your husband, on the account of his having taken vp money, which he hop'd his Master would by that means pay, but I am afraid it has not had the desired effect; and, indeed, I beleeeve it is not so much the effect of the will as real want of wherewithall, for he never was so poor. I never knew any of the contents of his letter to you, and as litle of your answer to him, so can say nothing of either, but doe not doubt but that you were so kind as to give him all the good advise that you could, and I hope he will have regard to it. I must confess that the terme in your letter to me, that you were sory that I was still meeting new causes of complaint, especially against him that should make me easy vnder my other mortifications, was a great one to me, since part of what I said I thought was absolutely necessary to convince you that I had noe hand in the money taken vp, and was not accessary to the spending it, which was a justice I ow'd to my selfe, and not any complaint of your brother. What I said more concerning his behaviour at that time to me ought not to have boren that name, since it was only easing of my heart to one whom I thought knew me too well to take it in that way. Had it been to one of my own relations, it had deserved it, but it is not to be thought that I should address my selfe to the nearest and dearest freind he has in the world to complain if it had been done out of that motive. However, since it has been so taken, it shall never hapen againe, and to any other person I would die before I would acquaint any soul liveing with my affairs of that kind, especially my own relations, who would be the last persons to whom I should oppen my heart to on such a subject, and, indeed, hence forward will seek my comfort of any thing of that kind in God allone. As to the other disappointments I meet with in this place, they shall never hinder me from staying

here till there is noe further likelihood of benefiting my husband and children by my stay. Lett me meet with what I will after, it will not signify any thing where I am.

I am extreamly oblig'd to you for your kind concern about my children ; my nephews has, I feare, been partial in the account they have given of them. I hope, what ever other quality they may want, they will never gratitude for the favours they owe both you and your husband for all your kindnesses to them, each in their way. My daughter still keeps a litle comb you gave her as her greatest treasure, because it came from you, and never forgets your kindness to her when with you, as I am sure her mother never will ; and my son grows daily more sensible of the obligation he has to your husband, for the care of his affairs, but is a litle inclin'd to be as loath to make vse of his pen as his father, so I feare does not so often as he should mark you his gratitude that way. Sir Goerge does continue most kind and carefull of my son. God Almighty reward him ! And your husband is so good as to be alwise ready to joine his indeavours, what ever inconveniency it may be to him, for which I can never sufficiently thanke him ; and what ever the success may be of what they are about, it will not lessen my obligation to him for the trouble he is pleased to give him selfe on my son's account, every body as well as you are in the same amaise. My sister Car. does not give my daughter masters, but it has been so hitherto. What she may doe now I know not, but I have not so much as heard from her as yet since her return from England. I wrote to my niece, Mary Herbert, to see if she would be so generous as to give me some cloths, being realy in raggs, but as yet have had noe answeare, tho' I had an account the letter was deliver'd long agoe. They live all in great state, but I have the luck to have their state turn to my prejudice, for poeple cannot imagine I can want any thing, and have so many relations so well able to help me, but ability without will is of litle vse to me. Our Mistress is extreamly well, and the docter is positive of her being with child ; but that is all the account I can give you of it, knowing noe perticulars, but noe doubt but that he has good grounds for what he sayes. She has not been out of the house this two months, till this very day, that she was cary'd in her chair into a garden, and walk't a litle ; she is likewise cary'd vp and down stairs in a chair. However, my having been forced to wait vpon her hinders me

from having time to say any more at present, but that I am, from the botome of my heart, my deare sister's

Most affectionet sister and very humble servant,

W. JOANES.

My husband presents his most humble service to you, and both of us to your husband and deare children.

For Mrs. Young.

268. MARY VISCOUNTESS DOWAGER MONTAGU to [MARY COUNTESS OF TRAQUAIR.]

London, April the 20th, 1720.

MADAM,—I differed the returne of my most humble thankes for the honour of your Ladyship's letter, til I could make mine satisfactory, by informing you how affaires stand, which I shal now leave to more able persons, Sir Wiliam Johnson and Mr. Midleton, they both having bin present, with several others, at the opening of Sir George his things, who, tho' very unjust to me both living and dying, I did hope would not have bin so to Lord Maxwel, to whom, in conscience, honour, and gratitude he ought to have leaft his all, by a most solam agreement with me. As for my part, tho' leaft in very bad circomstances, I am resolved to do what I can towards his education, but to enable me to compase it, (without wronging my creditors,) must be obliged to retire into a monastery, which will be done with pleasure vpon so good an account by

Your Ladyship's most humble servant,

M. MONTAIGU.¹

269. ELIZABETH (HOWARD) DUCHESS DOWAGER OF GORDON to [MARY COUNTESS OF TRAQUAIR.]

Edinbrugh, the 13th of May 1720.

MADAM,—Having ben very much indisposed of late, and keeping my bed, has hindred me some time the taking hold of an opertunity to put your Lady-

¹ Lady Mary Herbert, sister of Winifred Countess of Nithsdale.

ship in mind of an humble servant and well wisher who couetts ury much to heare of your Ladyship's being in good health, and all your famelys. This is to aquant your Ladyship of what my Lady Mountague desires to know concerning my Lord Maxuell, and thinking you will understand it best by the leter it self, I send your Ladyship a sight of it, that I may thereby receaue your comands accordingly, which, upon my geting, I will imediatly forward to my cosen¹ by the first post after; and as I told your Ladyship seucrall times of my Lady Mountague's kindness to her nephew,² so I hope the inclosed giues such prooffs of it as will justify her inclinations and my great satisfaction in that mater. Mrs. M'fuer has promis'd to send this to your Ladyship by the first opertunity, which I wish may be soon, and in the meantime I take the freedom of giuing you such domestick accounts as will not (I perswade my self) be disagreeable to your Ladyship's freindship and mine to each other's children, in telling you that my daughter,³ with her 2 sons,⁴ and Mr. Carnegy are safely landed at Bolonge, and gone forward to Paris, but where they will have found the melancholy disapointment of not coming time enough to see the Duke of Perth, as was expected, ere he dyed. I hope and long for the next post to heare what is become of his poor widow; and since her case is ury much to be pityed, and in these troubles, no less a cordiall could have ben a comfort to revive my spirites in some measure then that of having now got a grandson, at Gordon Castle, who, I hope, will not only be a suport to his religion,⁵ but a comfort (consequently) to his parents, who are, and I in particular, madam,

Your Ladyship's most humble servant,

ELIZA. GORDON.

Be pleased to alow my humble service to all the young ladys, as well as to the rest.

¹ Winifred Countess of Nithsdale.

² William Lord Maxwell.

³ Lady Jean Gordon married, in 1706, James fifth Earl of Perth, styled Duke of Perth. She died at Stobhall, on 30th January 1773, aged about ninety years.

⁴ James Lord Drummond and Lord John Drummond, suecessively Dukes of Perth.

⁵ If her Grace alluded to the future Duke of Gordon, her hopes in regard to religion were disappointed, as he and his brothers and sisters were brought up and educated as Protestants by their mother, who was, before her marriage, Lady Henrietta Mordaunt.

270. WINIFRED COUNTESS OF NITHSDALE to her sister-in-law, MARY
COUNTESS OF TRAQUAIR.

July the 9th and 16th, 1720.

DEAREST SISTER,—I received yours of the 14th of May, but this last post, which I might have had two posts before, however late it came, it mett with a most hearty wellcome, as all your letters does not faile of from me. You guesed right when you imagined it might come sooner than one you had writ before, for I have not yet had that. I suppose in it you give some account of Sir Goerge's¹ buisness, which we have never yet had an account [of] from any one we can rely on, and saying nothing of him in this letter makes me suppose you have done it before in that you mention, for else this is the first I have had from you since his death. In general I find he has done nothing for my son, notwithstanding all his fair promises, and has put my sister² out of a capacity of doeing for him either, at least as she sayes. She has not yet wrote to me, but has to my son, and Mr. G., and these are her words in answer to a letter of his. He sayes the substance of her letter to him was, that the day after the reception of his, she went by your desire with some of Sir George's fl[r]einds to open his closet, which she had seal'd vp vpon the newse of his death, and that to her great surprise and affliction she had found amongst his papers a will made in favor of one Maxwell, whom Sir George had sent abroad to a college. This (as Mr. G. sayes) is one Mungo Maxwell, a cousin of Sir George's, who was in the Scotch College at Doway, and is since gone over. My sister adds that, notwithstanding this will, one Captain Butler puts in for the estate, and that it is thought he of the two will carry it, who is Sir George's heir by law. Mr. G. adds that my sister, after having told him that Sir George had taken from her near thirty thousand pounds, and left her nothing but her bare jointer, out of which, as soon as it becomes due, she has four thousand pounds of just debts to pay, she concluds her letter by these words: "As to my nephew,³ I can take noe other resolution till I see further

¹ Sir George Maxwell of Orchardton, Baronet.

² Lady Mary Herbert, Viscountess Montagu, who married for her third husband Sir George Maxwell of Orchardton, Baronet.

³ Lord Maxwell.

into my affairs than this, that I will not abandone him, but will rather pinch myselfe, (which I will doe with hearty good will,) than let him want what will be necessary for his education." These are, as he tells me, her own words, and I flater myselfe that, after my husband and me, none does take a greater share in what regards him than you, which has induced me to give you this account, which I did not know whether Mr. G. had done, and is all I know about Sir George, whos liberality to my son, and care of him during his life, shall always with due gratitude be remembered by me, since the favours received ought not to be forgott, because the person does not thinke fit to add to them. I will say nothing more of my treatment, since in my last I gave you a full account of all the mortifications I met with, which I did not exaggerat ; but what I wrote to you concerning asking your adviee about leaving this place, I did by my husband's orders, who is continually a pressing me to a remouval, which I cannot thinke for his family's good, nor indeed his own ; and if ever I doe it, you may assure yourselfe that I am constrain't by him to doe it, and doe not doe it by my own choice ; for tho', if I had nothing but myselfe, I would rather eat a crust in quiet, and not be liable to the slights and mortifications I daily meet with ; yet, as I am persuaded it is for the advantage of the family, if they were ten times greater, I would bair them all, rather than have the reproach, I doe not mean from others, but in my own mind, tho' noebody else were acquainted with it, that I had not done what I thought was most for the children's advantage ; and I am glad to find you seem, by the stille of your letter (tho' you nor your husband does not think fitt to give a positive advice in the matter,) that you are of my mind. The reasons why it is my oppinion is not any hopes I have of any place about them, for that, I am positive sure, I shall not [get ;] for making a reflection that perhaps my freinds, and even my Master himself might have it to say, that I had not ask'd it, if I had, he would have granted it, I was resolved to stop their mouths, and therefore did it in the following termes, which are word for word as I said them, and his also, having writ them down imediatly after, and are as follows : "Sir, God Almighty be prayسد, your Lady gois on very well with her big belly, and is now far advanced in her time, and I hope you will not be offended, that being, that I humbly beg to know whether I may have any hopes of having care of the young Lord or Lady when it pleased God to send it. I should be

loath to bragge of my being as skilfull as any in bring[ing] up young children, but it can't be thought but that I must have some insight in it, after having been near twenty years amongst them. But what I will yield to none is in the zeal and care I should have of them, if you are pleased to confide them to me. It is allone, Sir, the honour I covet, and not any interest, since I to well know your circumstances to expect the least augmentation to the pention you are pleased to give me." My Master's answer to me was:—"Far from being displeased with your demand, [I] thinke it was most natureall for you to make it, and am sencible you have al the qualitys necessary ; nor can you say I have refused it you, but having taken a resolution to take noe servants whilst I am abroad, will make neither governess nor vnder-governess. My wife has but litle to doe, and will look to it herselfe. It is true she can not be alwise there, but when she is not, Lady Misit¹ will stay with it." You see by this that it is not the hopes of any thing to be done for vs that makes me judge it most for our advantage to stay. My reasons are these, that our pention whilst here will surely be pay'd, and not diminish'd, except every body's else is ; and, if absent, would be very liable to be so the first, and ill pay'd at least, if continu'd. Secondly, in case an alteration in our Master's affairs, and he return home, ourselves [would be] as much forgott as if we had noe pretentions to his favour, and had done nothing to deserve it ; wheras, if we return with him, that can not be ; and even shame, if noe other reason, must make him doe something. Thirdly, tho' none of these things hapen, and we get nothing, even than, still by taking nothing from the estate, does free it more and more, wheras if I could obtain a pention out of it, which my husband is bent vpon my indeavouring, it would not than free much, and I could not for shame pretend to any from my Master ; so, in that respect, would doe my children prejudice. My husband was the other day a saying that that part that William A[l]ves had was now free, since which time it came into my head that it was perhaps vpon that that my husband getts credit. But, however it is, he, as I hear, has taken vp a great deal, and I thinke, to exonorat myselfe, I was oblig'd to lett you know it ; and, at the same time, that it is not on my account, for I have never had a sixpence of any but my

¹ "Lady Misit." This lady must have been the wife of an Irish officer, who assisted in the escape of the Princess Clementina Sobieski from Innspruck, when stopped by the order of the Emperor, who wished to prevent her marriage with James.—See Wogan's Narrative.

own pention, which, when I have once put myselfe in cloaths, I can very well live vpon, tho' he cannot, as he sayes, in this place, tho' I would thinke it were easier for him than me, since a woman's necessarys that deceney's obliges her to in drease is much more expencive. This ought to have gone last post, but my Mistris sent for me before it was ended, and I did not come home till it was to late, and the last brought me a letter from my niece Lucy,¹ by your orders, to let me know my sister M.'s² desire in order to my son, which is most reasonable, and very fit she should doe as she pleases with him. I shall be sure to write to her about it, and give you a thousand thanks for the notice you give me of it. I beg you will thanke my deare niece Lucy for her letter, as I will doe myselfe very soon, and indeavour to send her the hair she desires. I had so much of my own business to acquaint you with, that I had like to have forgott to have satisfy'd your kind inquiry of my husband's and my health, which are, thanke God, both very good, and my Mistress's beirthday is to-morrow, the 17th of July, this stille. I hope all your family, as well as yourselfe, are in good health. Your brother presents his most humble service to you, and both of us to your husband and our deare nephews and neices, some of which I long to heare have changed their names hapily. I am sure there is noebody wishes it more earnestly than myselfe, as likewise all other prosperitys, which, if I could procure them and you would not be long wanting, since noe body can be with more sincerity than I am, your most affectionet sister and very humble servante. July the 16th, 1720.

Our Master and Mistress are well, but, I feare, not so far advanced in her great belly as they thought. But I know nothing but what is talk't. But she does not appear so big as I would think she would be if she had so litle a while to goe.

For Mrs. Young at Traquair.

271. The LADY LUCIE STUART to her mother, MARY COUNTESS OF TRAQUAIR.

Fettersso, August 8, 1720.

MADAM,—I was very glad to hear by your Ladyship's letter that you was noe worse in your health then when I left Traquair. I pray God containue it long

¹ Lady Lucie Stuart.

² Viscountess Montagu.

so. My Lady Marishall gives her humble serviee to your Ladyship, and was to have wrot to you herself, but was oblig'd to answer some letters of bussiness she got this day ; so hopes you'l exeuse her. She had letters from both her sons last week, which gave an aecount that they were very well, but the letters was of an old date. Mrs. Leith knows of noe servant she cou'd pase her word for, save on who was ingadg'd with the Lady Elsie, befor she knew that your Ladyship wanted. My Lady disigns to leave this place on the 23rd of this month, so I wish your Ladyship wou'd send the horss, so as it may be here on Saturday the 20th, that it might rest all Sunday and Monday. My Lady is goe be Stobhall to see the Dutchess of Perth. The letters are just going off, so has no more time, but to beg my Lord and your Ladyship's blissing to her, who is, madam,

Your Ladyship's dutifull ehild and obedient humble servant,

LUCIE STUART.

To the right honorable the Countess of Traquair, to the care of Mr. M'Iver, Edinburgh.

272. WILLIAM EARL OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

November 12th, 1720.

DEAR SISTER,—I hope you will not impute my soe long silenee to the want of kindnes, for if my writting oftener could have been of any serviee to you or your dear family, I should have done it with a great dale of pleasure and satisfaction mor frequently. Som time agoe my wife gave you ane aecount how matters was with us in this place, which continous mueh in the same situation ; but of late I have som better hopes that, after my landlady's being broght to bed, my sircumstanees hear will be made a litle mor easy to me, and so, consequently not any mor troublesom to my frinds, but as yett have had nothing but good words. My landlord intends, at his wife's laying in, to have all the best quality in this pla[ce] present, and to have it as publike as he ean, so that all of us hear intends to apear in the best order wee are cappable off, which makes me beg that you will once mor interside with your husband to proeure me a bill's being answered for fifty pounds. I am very seneible of your sircumstanees at this time, and how litle you are able to doe it, but I can not but think

it may be had out of the estate, being that Mr. Allves is now, as I suppose, almost paid, and I believe if your husband would write to him, he would not refuse to delay part of his, and allow this bill to be answer'd; for if it be not done, my credit will [be] ruined, for the person that does supply me can not do it at this juncture, as you may easily imagine he will have use for all he can compass, and am afraid will be much straiten'd. I beg, dear sister, that neither your husband nor you will take this amiss, for without the utmost necessity I would not have troubled a relation who is so willing, and has done me so many good offices, which shall always be my study to be grateful for, and shall acknowledge on all occasions. I have time to say no more now, the post being just going, only to beg my dear brother and you will do me justice to believe that I am, with the utmost gratitude and affection, all yours—

My wife gives her humble service to your husband and you, and both of us to all the dear children, and my dear particularly to [my] dearest nephews. I shall write whenever our landlady is brought to bed, which will be once next month.

To the Countess of Traquair.

273. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

November the 19th [1720.]

It is so long, dearest sister, since I have had the happiness of a line from you, that I begin to think you have forgot there is such a one yet in the world, for I am resolved to flatter myself that it is not any indisposition since then I do not question but that one of my nieces would have inform'd me. Besides, I would be in to great a pain till I heard the contrary, if I gave myself leave to suspect it, tho', at the same time, I have wrote two long letters to you since I have heard from you. However, I will not impute it to either want of kindness to me, or want of health in you, because they are reasons that would be most uneasy to me, and therefore intend to suspend my judgment till I hear the true one from yourself, which I daily hope for. You should oftener have of my letters, if we had any news hear, without standing upon the punctilio of not having answer'd mine, but that really we have nothing from hence that is worth the postage of a letter, nor

scaree the paines of reading of it, but that our Master and Mistris is in good health. The latter is now brave and big, but now they say it will be at least two months before she lys in as yett. But I have but heare say, for, as I told you before, I can give you nothing but general informations. All that I can assure you is, that as soon as ever it is born, you shall have noticee from me, so you need not give eredit to reports of her being so, except it goe by an express, for I will not miss a post I assure you. I hope you will not neither to a report that goes that I am with child, for you may be assured that if I were, you should be the first person acquainted with it. What has given rree to the report has been that I have realy of late had great appearanees of being so, in so much as I can not yet convinee poeple I am not, having all sort of outward signs of it, even to bigness, so that they will not permit me to take any thing for my health till the time of quickening is over, and, because it is possible, I am forced to submit, tho' I am very sure there is nothing of it. But as I can not hide my bigness, it makes every body speak of it, and I was afraide, being lightly you should heare of it, you might take it ill of me that I had not placed that confidence in you. But this is the bare truth, so you need not beleve any thing you heare of that kind ; for if, contrary to my beleef, it should prove so, I will imediatly let you know it, and if not, shall take what is thought fitt to take it away, and the other inconvenienys that I feel, and establish me againe in my health, as I hope. My children were both well when I heard last, still in the same places where they were, and I doe not know yet what resolution my sister Montaigu will take about my son, but I have left him totally to her, to send who she pleases to him, and give what orders she thinks fitt about him. Our Mistris has been so long out to day, that I have time for noe more, being but just come in, and if I send not my letter imediatly, it will be to late for this post, so, rather than miss it, I must end ; but cannot without assuring you your brother is very well, and I, without complement, dearest sister,

Your most affectionet sister and very humble servant,

W. JOANES.

My husband presents his most humble service to you, and both of vs to your husband, and deare young family.

For the right honorable the Countess of Traquare.

274. WILLIAM FIFTH EARL OF NITHSDALE, under the assumed name of
WILLIAM BROUN, to MARY COUNTESS OF TRAQUAIR.

December 11th, 1720.

MADAM,—I write to you some weeks agoe that I was obliged to drau a bill for fifty pounds, payable to Mr. Bellonis's order. This is only to beg you will use your intrest to gett it deuly answered, which will add to the many former obligations don me, and shall be allwayes most greatly accknouladged by, madam,

Your most affectionat and humble servant,

William Broun

I hope in a few dayes to be able to send you som agreable neues, which wee daily expect. I beg my humble service to all your dear famely.

To the right honorable the Countess of Traquaire.

275. JEAN DUCHESS OF PERTH to [MARY COUNTESS OF TRAQUAIR.]

Stobhall, the 11 of January 1721.

MADAM,—I do not doubt but the melancoly state I have so much cause to be in will be but too relivent a reason to excuse me att your Ladyship's hands, for not having owned my acknowledgment for the honour of your Ladyship's letter before now, which gave me a new proof of your friendship, by the concern you were pleased to shew for a loss can never be made up to me till I meet with my dear Lord in the nixt world, since I cannot enjoy him in this. The satisfaction I have in Lady Ann Stuart's company makes me a little forget for some time the cause I have of grief, which is the reason I do myself the honour to write to your Ladyship att present, to pray you to let her stay with me till your Ladyship comes to Edinburgh, for then I will not hinder her Ladyship to go to you, where she'll have occasion to make up by diferent devertions for the time she passess here so dully. I must also beg your Ladyship's leave to offer here my most humble service to the Earl of Traquaire, and to all your deserving young family, who am, with very much estime, madam,

Your Ladyship's most humble servant and most affectionat cosen,

Jean Perth

276. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

February the 4th, [1721.]

IN my last, deare sister, I had only time to give you the comfortable newse that our Mistris was safely brought to bed of a son, and not to answer your letter of the 5th of November, if I had had it, as I ought to have had, but it came but a post agoe, and I was willing to stay one, that I might, at the same time I answer'd it, send you the assurance of her being hapily reeover'd, and haveing been abroad. Her son is also very well, and a fine child, God bless him, and the father, as you may be sure, not a litle faund of him. I am glad you thinke my reasons solid for my not quitting this place. If I did not thinke it was for the good of my family, I must confess a privater would have been more suitable to my inclinations. But we live for others in this world, and not our selves; and duty must still be prefer'd, and what ever the event may be, I will indeavour to omit noe part of that, and leave the rest to God. I give you a thousand thankses for your good wishes to my son and daughter. I thinke there is litle appearance of the family's flourishing againe in him, since, as things goes, it is rather quite sincking. But he is not the less oblig'd to you and your husband, who takes so much care in his business, which neither he nor I can suffieiently aeknowlege, and what ever success it may have, our obligations are the same. As to the morgage I spoak of being expired, I thinke I heard my husband say it was, but perhaps he mistook. But if it were never so much, and that it could be kept conceal'd, I should be far from desireing it should be dip't in, except to defrey other just debts. I am sure I can answer for my selfe, that I am so far from desireing a farthing, that I take care not to diminish my husband's allowance here, that he may not have occasion to ask any from home; that tho' vpon this occasion of my Mistris's lying in, I have been forced to provide my selfe in cloaths that was a litle decent, and have done it, but has been without taking one farthing from him, and tho' I must confess I have taken vp money, it has been all vpon my own credit, and of those that has my own note, and will never require a farthing of him towards the payment, but will take it from me as I can pick it vp. So litle I have any thoughts of dipping

in any thing, that I take all the precautions I can to take away any occasion that might make my husband have the least pretence of doing it vpon my account, which is all that is in my power. I have had the hapiness to have had one handsome sute procured me by the means of a cardinal, who gott it from the Pope, but that is between you and I, for I was forbid to let it be known. I have bought two others, the one as good as that, the other worse, for bad weather, being oblig'd to walk on foot to my Master's several times in a day, so that I am much out of poket, but shall in time get free, I hope, without takeing a farthing from my husband for it. The reason why I thought my selfe oblig'd to provide my selfe so well was, that my Master might not thinke that, because I was disapointed of what I had some reason to expect, I did not care how I went; and also, that if I had not, he might have taken the pretence that he was asham'd I should be seen with his wife, because I had not decent cloths, all which I thought I was oblig'd to avoid. Lady Misset is the gentlewoman that came allong with our Mistris, and whos husband was knighted since on that account. I am sory the decree of inquiry is so cruel against my son, but there is noe help, since it is founded on what, God forbid he should ever have a thought of changing, though he lost a hundred times more; heaven is worth it all. As long as your husband interests himselfe in his affairs, I am sure nothing will be omitted that can be done, so with our most humble thanks to him, we leave all to him to doe what he thinks best. I give you also many thanks for the care is taken of the house, but would be glad another gardiner could be found that would accept of the same bargain that I made with James Smith, for it is sad the gardens that has coast so much should be neglected. I am truly sory for the poor man's death, for he was an honest, good servant; God Almighty rest his poor soul. I am very much oblig'd to Kerconell and his lady, and beg leave they may here find my humble service, and thanks for their kind remembrance. I am glad young Lag has got so good a fortune, and that my deare nieces are taking a litle progres to divert themselves, and hope, notwithstanding the il times, that they will be soon hapily settled. I am sure, next to my own children, I wish them best, and there is nothing I would not doe that were in my power to contribut to their hapinesses. My husband and I are, God be prayesd, in prety good health; and Evans presents her humble respects to you,

and looks vpon herselfe as extreamely oblig'd for your obliging remembrance of her. I am sory Tinwall went of the bargain was made by Sir G. and your husband, but there is some in the world that noe butter sticks on their bread; but God's will be done, He can supply when He pleases. I believe William Alves will not be a great looser by the death of his wife. I can return you noe newse from hence, but that all is well, and I, from the botome of my heart,

Your most affectionate sister and very humble servant,

W. JOANES.

Your brother presents his most humble service to you, and both of us to your husband and our dear nephews and nieces.

For Mrs. Young.

277. WILLIAM EARL OF NITHSDALE to his sister, MARY COUNTESS OF TRAQUAIR.

April 11th, [1721.]

I HOPE you well not impute my so long sylance to the want of affection or greatitud; but the truth is ther was nothing worth your while of knowing from this place, and my wife having frequently given you account of both our healths, I deferred writting till nou, that I am forst to beg your assistances to speake to your Lord for the lone of fifty pounds, which, I assure you, had ther not been absolut nesessity for, I would not have done it at this time, being most sencible of what kindnesses you have both done for me and myne, which I hope in God never to be so ungreatfull for as ever to forgett. I cannot nou tell you the motives that obliged me to draw, but in a fewe weekes shall. The bill is drauen by William Broun, and a gentellman from London will write wher the money is to be payed. I can write nothing els but to beg your assistance in this, and to assure you that I am, with the uttmost affection and greatitud,

All yours.

My wife and I gives our most affectionate service to all your childrine, and both of us to my dear Lord.

For Mrs. Young.

278. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.¹

Aprill the 15th, [1721.]

I RECEIVED the last post, deare sister, yours of the 31 of January. Where it has lain I can not imagine, but I think myselfe very fortunat to have gott it at all, for it had noe super[s]cription, and came in a letter to my Lord Kilsith, and till he oppen'd it he did not know who it was for ; but I am glad I gott it at last. You will find by my answer, which I suppose you have before now, that I have receeived the long letter you mention. As to my own health, it is now, God be praised, much better. It proved as I suspected, and much better than if I had been with child ; for, barr God Almighty's pleasure, what could I have done with it ? I have taken some phisick, and am in better health now, and suppose I have done with the apprehention of great bellys now. Such aeidents happens to me without prouving one. My Master, Mistris, and their young son are all in good health, and he one of the finest children that can be seen of his age ; has some litle symptoms of being about his teeth, but may be this two months without having them for all that, but I hope will have them early, by which means he will suffer less. I received the letter in which you were so kind as to speake about money, but as I knew nothing of what my husband had done, I gave him the letter, and since I cannot gett it from him. He only told me that I need not answer it, for he would ; so, whether he has or noe, I can't tell. He is convinced that if I had known any thing of his intention, I should have done what had been in my power to have hinder'd him from importuning your husband, who, I am seneible, has so great a charge vpon him, and to whom he already owes so much. I am sure he may with reason say he has the best of sisters, who is so good to him, but I wish he would not presume vpon your goodness. If it were in my power to help it, but you know hes humour, all I can doe is not to add to his expenees ; and except it be in paying a litle dearer for a lodging beecause I am with him, I take not one peney from him ; and till within this twelve month I pay'd as much of that as I augmented the pree by being with him. But, indeed, I was quite out in cloths, having nothing but

¹ This letter is written on paper of the same size, texture, and water-mark as that of the letter of the Countess of Nithsdale detailing the escape of her husband, No. 219, *supra*.

mourning, that I have added nothing to the payment of the lodgings on that account, till I can free my debt, after which I intend again to pay my share; so loath I am to give him trouble, or a pretence of sending for money; so beg you will be so just as not to impute it to me; for I would restrict mysele to any thing rather than give him occasion of it; and he has as much as I, and a man's expense is nothing in comparison to a woman[s]; and I can not say but that, if I had not been altogether out in cloths, I would not have been in debt, so I can't well find out how he comes to be so much so. He knows best, but I wish, for his own sake, he could keep in compase, as I can not imagine but that he has wherewithall to be easy. I can give you noe account whether he has received any money or noe, but he has seen this letter also, so he will, I suppose, lett you know. However, a thousand millions of thanks for your kindness to him, as much as if it were to mysele; but except in making him easy, I shall not be a farthing richer, or see one sixpence of it. But, indeed, I would not tho' he would offer it me, which will be so contrary [to his way], that except by you I shall never know whether he has it or noe. I give you many thanks for having writ to my cosen in the Canongate about my son's affairs, for we can not have too many friends. But my husband has been advised to send him into England, it being assur'd him that he will absolutely loos all prententions to his estate if he does not appear before the time allotted; so he has given Mr. G. orders to goe with him, at least to be prepared in case it be thought convenient, and has indighted a letter for him to write to the Duke of Argile, in which he recommends himsele to his protection, and asks his advice whether he should come over or noe, for he is ready on the first intimation, in case he will promise to protect him; for my husband is made to beleeve that he will certainly gett his business done for him without interesting either honour or religion. For my part, I left it wholly to my husband, it being to ticklish a point for me to medle in, and, if he is to goe, shall wish, pray, and tremble. I shall be sure to write to my sister to put my cosin's son in mind of his promis, and have alwise new proufs of your care of my son's concerns, for which his father and I can never be suffieiently thankfull. As to our young Master's names, I will enclose a list of them. He had the misfortune to have a milk at first that did not agree with him, but now has gott a nurse that does extraordinar well, but both were of this contrey. He is one of the finest

children of his age that can possibly be seen, and thrives as well. Their was a great number indeed at his beirth, and if I had not thought that I should be to plain in my aecount, I would have sent you every perticulars, and will doe it yet if you desire it, but dare not till I have your answer say more than I have done. If there is any thing I ought to have answered in your last, remember your brother has the letter, and I doe not realy know what is in it, nor cannot get the letter from him ; which is all but my most humble service to your husband, with a million of gratful thankes for his great care and pains about my son's concerns, which my husband joins with me in, and presents his most humble service to you and him, and we both to all your dcare young family. Pardon all my mistakes, for I have been very much hurried, and have not time to read it.

For the right honourable the Countess of Traquare, att Traquare.

279. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

September the 9th, [1721.]

I MUST confess, deare sister, that it is a great trouble to me to be long without hearing from you, for where I have so true a concern, and so much kindness, I cannot be easy without being assur'd of your health, and that of all your family's, which, next to my own children, is the most dear to me of any in the world, but as to any thing else, you need never make any excuse to me for not answering my letters soon. However, that you make to me at present is to good not to be acceptable, had there been need of one, but [I] am glad you delay'd noc longer, being truly in pain about you. My Master and Mistris continue still in extream good health, and their young son also, who every day grows more charming. I am sory I cannot tell you that he has got some teeth, for, though he has often had what poeple judges simptome of being about them, yet I could never perceave that there was any approaching ones till this day, that I saw his gums swell'd in two lumps, which makes mē hope we shall have some before it be long. But if they follow the appearanee, he will first have the two vpper ones, which is not altogether so vsual as the under ones ; but either will be wellcom, and [I] shall not faile informing you when the first appears, knowing how great a share you take in what regards him. As to my

Mistrisses being with child againe, I cannot say she is, but there is some reasons to thinke it. But as she has had such when it did not prove so, I will not assure you of it, nor never will, till I thinke I may not be in danger of contradicting it, because the disapointment is generally more trouble than the newse was satisfaction. The information Mr. Grant gave you of the orders he had from my husband was very true, for, it being a thing that I judg'd as well as you to be of the highest importance, I thought myselfe most improper to medle in it, and, therefore, in the following answer to your letter about it, shall express my husband's sentiments, as he delivers them to me, to humour his own laziness in writing, without mixing any thing of my own. He sayes that, as to his Master's advice in such a matter, it was not fitt to be ask'd, since he in all probabillity thinkes he has to much expense in the providing the small thing he does to the parents, not to draw upon himself the mentenance of the son, and, therefore, would never be brought to medle in the matter ; and as to his feare of being misrepresented to his Master, tho' he has enemies, yet he hopes that his conduct has been such as to defy them to doe it in any thing with justice ; and in this sees as litle reason for the doing it, since the bare appearance of his son in England is only in hopes to hinder him from being a burthen to him, and the only design of his journey, noe other thing ; for to thinke a boy com out of a college sent about any business, it was not to be suposed. But if the person who pretends to serve him judges his appearance necessary to enable him to doe it, he could not refuse it, and more especialy since he could not even contribut to his maintenance where he was. And as to his treating with persons of diferent principles every way, it is most certain he can meet with noe other. But [it] is to be hopt that he has not been train'd vp so long in, a college but that he will be prety well grownded in principles of religion, with which his honour is at present so join'd, that he cannot well act against one without doing it also against the others, which makes him in noe great apprehention of either. Thus far my husband's own words or diction, for it was a matter of to much importance for me to medle at all in it. And as to money, it has been Mr. Gordon's own doing, without any orders ; for I am sure my husband gave him none. He and I is both to sencible of our obligations already to addres to you when we can possibly avoid, considering the great charge you have. So far from taking ill your telling your sentiments in what you say

you were not consulted, I beleieve the only reason you were not, was because my husband had not time to doe it before he was oblig'd to [draw ?] it ; but it shews yet more your kind concern for our family to give it notwithstanding, and is a favour never to be forgott either by him or me. We are both, thanke God, in very good health, and at present in the contrey, and are to stay till the begining of November next ; at which time our Master and Mistris return to town, and we allso ; for tho' we are not in the same house, we take care to be where they are, tho' it has coast vs the keeping our lodgings in towne and paying both. My husband admires you have not heard from him, never since he gott the bill, for he assures me he wrote after the receipt of the bill ; but I never knew any thing of it, but what you sent me word yourselfe. I am glad my daughter has pay'd her duty to you by a letter. I hope my son has done it also, since his arrival in England, where I suppose him to be, tho' I have had noe notice of it as yet, but expect it daily. We cannot sufficiently thanke you for the care you and your h[usband] takes of my son's affairs, about which you send me word my nephew was going, for which I return him my gratefull acknowledgements. I wish we may have good newse about them. But be it as it will, our obligations are noe less to you. I am sorry you refer'd the account of our house and gardens to Mr. H., for I have not heard from him this age. I hope you and all your familly are well. My most humble service to your husband and all the young ones, in which my husband joins ; but my paper will permit noe more, but that I am,

Most affectionetly yours,

For Mrs. Young, at Traquair.

W. N.

280. WILLIAM FIFTH EARL OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

October 22, 1721.

I AM sorry to find by a letter of yours to my wife, dear sister, that you did not approve of my sending my son into England. You wer at so great a distance, that time would not allow my staying for your advice, otherwayes I should have acquainted you with the reasons I had to doe it, but had noe intention he should have gon to Scotland, but have stayed with his Aunt M. till his proses had been discused ; howere, all his frinds in England hes, as

he writes to his mother, thought it necessary. I suppose his appearance there is all that is required, but [he] has neither place nor acquaintance. He desires he may be recommended to your care and kindness, which both me and my family have received to many proofs of, to doubt but that you will continue it to him, which I humbly beg of you during his stay, which I hope shall be but short. He says his aunt received him with a great deal of kindness, and he does not doubt but will do all that lays in her power for him. I have put off Mr. Grant, for reasons you will not be surprised [at], which you shall be informed of very soon, but do not yet hear who his aunt has or is to put about him. I hope both you and your husband and all your family are well. There is no body wishes it more prosperity and happiness than

Your most affectionate brother and obliged humble servant—

My wife and I give our humble service to your husband and all the dear children.

To the right honorable the Countess of Traquair.

281. WILLIAM FIFTH EARL OF NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

March 3, 1722.

I HOPE, dear sister, you will not impute my being so long off returning you my hearty thanks for your Lord's kindness and yours to my son whilst with you, to any want of gratitude I ought to have for them; for I assure you, were it in my power to be any way serviceable to you or yours, I would neglect no opportunity, there being no body more sensible of the obligations I owe your dear Lord and you than myself. My wife will inform, as well as I can, that we are now reduced to the last farthing, being obliged to keep ourselves in cloaths and lodging as good as our neighbours, who have had considerable remittances from home, otherways we had been more dispayed than we have been, which made us run in debt, so that we must both beg off you to dispose of the few pounds of ours she left in your hands, that we may have the money for paying the debt, which is the only resource we have left, for I assure you the pension that our Master is able to give is but what barely gives us living, so that we have been forced to run in debt both for lodging and cloaths, which is no small matter in this place; and were we not like others in both we could not

appear before Master or Mistress ; must therefore beg of you, dear sister, to gett this affaïre compased as soon as possible, which will add to the maney and great obligations don to your most affectionat brother—

I beg my most humble serv[i]ce to my dear Lord and all the young family.

282. The SAME to [the SAME.]

March 10th, 1722.

I HOPE, dear sister, befor this eums to hand, you have reeeved both my wife's letter and myne, giving you aecount of our sireumstanees which obliged us to beg off you to dispose of the litle furniture she left in your hands, and to remit the value of it as soon as possible, for wee are in some hopes of euming nearer your parts, and it would be a most dismall thing to be left behind ; so most againe earnestly beg you will be soe good as to gett them ether sold, or something near the value of them, for I know your sireumstances are such, having soe numerus a family (which God preserve), to desire any thing mor from it than what you have allready don, which, if ever it be in my pouer, shall be with all the greatitude immagionable returned. My wife dos not write to you this post, being sent for to goe with her Mistress a litle out of toun, but will doe it nixt. Our young one here hes ehanged keepers, and hes got a great enough, which I hope in God will have noe bad eonsiquences ; and, to tell you truth, had wee been advised, a great many things might haave been prevented, which, I am affraid, may eum to pass, and I pray God to avart. I beg, dear sister, you will make my acknoligments to your dear Lord from me in the most kinde anffectionat manner, and belive me to be, with all gratitude and thankfullnes,



All yours.

My wife gives your Ladyship her humble serviee, and both of us to all your dear famly.

¹ This seal appears to have the monogram and coronet of one of the Powis family, and it has probably been the property of Lady Nithsdale.

283. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

March the 24th, [1722.]

THE many obligations that we have had to you, dearest sister, and the great kindness that you have alwise show'd on all occasions, does, at the same time that it puts me out of countenance to be again troublesome, encourage me to hope that you will not abandon vs in this strait. My husband has wrote twice, and I once, to lett you know that we are in so much debt, that as our last resource, we are forced to beg the favour of you to get the furniture sold that is in your hands, that we may discharge what we owe. I remember when I once proposed the doing it by my husband's orders, for my journey hether, you were so good as to be displeased with me for making such a proposition, and order'd me a hundred pounds, which I did not than take, because I found some other way of getting it. But now I must beg you not to stand vpon that punctilio, but as the greatest favour you can doe vs, let it be done ; but as it is impossible to doc it in a hurry, to obtain the advancing the hundred and fivety pounds that my husband has drawn for, since, if the bill is protested, I have reason to feare, and have realy notice vnderhand, that he will lightly be in a more shamfull confinement then his last, which, to prevent, I would not only scll that, but my chift if I could. The furniture, tho' sold at never so low a rate, cannot but yeild that sum, so that I doe not see the least hazard of your loosing by it. But it will not answer our end if the money be not pay'd twenty dayes after the receipt of the bill ; so I beg you, by all that is deare to you, to have compassion of vs, for if this failes, if we were a starving, noe body would lett vs have a six pence. We have pawn'd all our credit to hinder our being molested till this can be answer'd, and have had noe small dificulty in getting it done, and are quite out of the power of doing it longer. All which reasons obliges me to be so importune, which I hope you will pardon, and attribut it to our pressing necessity. I hope all your family is in good health ; ours is, I thanke God, Master and Mistress, and young son. He has now four teeth, but that is but litle for his age. He does not yet stand allone, much less walk, but is lively enough. God Almighty bless and preserve him. His mother is not as yet breeding. My most humble service [to your] husband, and all your deare young ones, and many an excuse to him.

I am, all yours,

W. N.

284. WILLIAM FIFTH EARL OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

March the 24th [1722?]

I HOPE my dearest sister will be convinced that nothing but the utmost necessity forces me to draw a bill of a hundred and fifty on your husband. I must be free to tell you, that if it is not answered within twenty days after the receipt, that I must never show my head in this place; so, by all that is dear, I beg you will prevail with him not to abandon me in this strait. I am sensible that the furniture which I beg you to have sold cannot be so suddenly compassed as to furnish the money immediately, and if I have it not punctually paid I am ruined, which makes me intreat you to obtain of your Lord the favour of his credit till the things be goott sold, which will be the greatest obligation he can do me. And the furniture, tho' sold at the cheapest rate, can not fail off yielding that, so that I hope there is no danger of your being a loser by this last bill, which I would not have the face to desire if there were, owing you already so much as I do. But I hope [the] time may come that I may be able to repay all, except the obligation for your constant kindness and goodness to me, which I am convinced I never can sufficiently, but shall ever retain all the love and gratitude for you and yours that not only nature, but my obligations to you, obliges me to; and if ever it lays in my power to serve either, there is no hardship I would not overcome to do it, which I hope you do me the justice to believe is no compliment, but proceeds from the sincerity with which I am, my dearest sister's

Most affectionate brother and obliged humble servant—

To the right honorable the Countess of Traquair.

285. The SAME to [the SAME.]

March 30th, 1722.

I HOPE, dear sister, you will pardon my importunity in writing so often, and believe it is nothing but the last extremity that makes me again beg of you to use your interest with your Lord to lend his credit for the bill I have already

drawn, which, if not answered, will most infalably rouin me. My wife and I have both of us write to you the nesessity we are in, so I hope you will pardon this short line, and bel[ie]ve me to be, with all affection and sincerity,

All yours—

My wife not having time to write to you this post, begs you to [a]ccept of her humble service, and both of us to your dear Lord and family.

286. JEAN GORDON, DUCHESS OF PERTH, to [MARY COUNTESS OF TRAQUAIR.]

[Stobhall, 1722.]

MADAM,—I own myself much indepted to your Ladyship for the concern you take in me and mine, and hopes to have soon an occasion to shew att least my gratitude, by doing all that lyes in my power for oné of yours, who, I wish and hope, will be soon a nearer relation to the family of Perth. It's what I have made my dayly prayer this long time, tho' I would never mention it till now, except to my Lord John Drummond himself, who never informed me of his affection for dear Lady Mary Stuart till he came last from Edinburgh, tho' he knew how I was fond of an alliance for the family of Perth with one of the Earl and Countess of Traquair's daughters ; for I may say with truth I was the first that proposed it to him : all my fear now is, as well as his own, that he should not be accepted of. I own, indeed, he is not the head of his family, tho' he may come to be it ; but, att the same time, I must for truth's sake say, I thinke she'll be the happiest wife in Britain. I, knowing my Lord John's temper so well, can assure it without presumption, and for what ever depends upon me, I shall be most fond of doing it for all your sakes. I dare not say more, for fear of being thought parsial, but hopes and believes that if my Lord John be so happy as to get your Ladyship's daughter, she'll not only deserve the gamone of bacon att the year's ende, but still more when thrice seven years are out. I beg your Ladyship's leave to return here my most humble service to the Earl of Traquaire, and to all your Ladyship's honourable children. It's a proof of Lady Anne Stuart's goodness by her being so well satisfied with the dull way her Ladyship passed her time att Stobhall. I shall be very glade of any occasion to

shew how sensible I am of the obligation I owe her for it. I must not end without giving your Ladyship an account, that I got a letter from Jamy written by his own hand on the first of January, which was a most agreeable New Year's gift to me. He and his brother are very well, and also Henny,¹ in whose names I must offer your Ladyship their most humble service, who am, with much esteem and respect, your Ladyship's most humble servant and most affectionate cosin,

J. PERTH.

287. The SAME to [the SAME.]

Stobhall, the 12 of April 1722.

DEAR MADAM,—Lord John Drummond can inform your Ladyship much better than I can do myself how great a pleasur it is to me that you are to accept of him for a son-in-law. I'll not insist long upon it in a letter, but will deferr till I have the honour and happyness of seeing your Ladyship in Perthshire. All I'll insist on att present is, to beg your Ladyship to compleat Lord John's happyness by joining dear Lady Mary Stuart's hand and his. He has made himself ready for such a blissing by doing his devotions most piously to the great edification of all that see him. I must beg your Ladyship to make my most humble respects acceptable to the Earl of Traquair, and to make the same petition to him in my name, and doth not doubt but to be heard, when I have such an advocate as your Ladyship. I can assure both your Ladyship and the Earl of Traquaire, Lord John Drummond and I wishes only for the lady, and leaves every thing elce to be ordred by your Ladyship and Lord Traquaire as you will. I must also beg your Ladyship to pray Lord Lintone, who, I supose, will be the bride's best man, to keep one of her garters for Jamy. I'll steal a bit of it for myself, which I'll keep for the bride's sake. I hope the nixt letter I do myself the honour to write to your Ladyship will be to thank you for granting my petition. In the mean time, I must assure your Ladyship that nothing shall be wanting that's in my power to make Lord John and his Lady easy, when he is so lucky as to get her, and begs your Ladyship to let [me] know in what I can serve you and yours, whom I honour and esteem so much. I

¹ Henny, Lady Henrietta Drummond, her Grace's daughter.

hear often from Jamy and Johny,¹ whom you honour with your Ladyship's kind remembrance. You'll have an occasion to shew your love for them by giving Lady Mary Stuart to be their ante, from whose goodness they and I expects all kind things. Your Ladyship must allow me to offer here my most humble service to all your honourable family, and assure your Ladyship none can be with more respect and esteem than I am, dear madam,

Your Ladyship's most humble obedient servant and most affectionate son,

JEAN PERTH.

288. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

April the 21, [1722 ?]

I HAD the comfort of a letter from you, deare sister, last post, of the 9th of February, but suppose the month was mistaken, and that it should have been March, but one way or other it was no less welcome to me. I think there needs no excuse for your including your answer to your brother in my letter, but he has frequent occasions of making some to you for writing so seldom, the truest I can make is his laziness in writing, for I am sure it is not want of all the kindness imaginable for you; so I hope you will not take it ill of him. He has writ severall times of late, and so have I to, about what could not be very agreeable to you, no more than it is to me. But there is no help for it, and if you are not so compassionate as to obtain your husband's credit, till the furniture you have in your hands be sold, we are undone, and I must never show my head no more than him here, since for his relief I have pawn'd all my credit; so beg you, by all that is good, not to abandon him this one bout. If he falls into the like againe, I can do no more. I will lay down to you the whole matter, and all that I have represented to him about it, if in your next you desire it, and promise me not to let him know it, and then you will judge what may be done to prevent any thing for the future; but letters concerning any thing of that kind must be order'd to be deliver'd to me unknown to him. I believe my husband did not think his letter necessary to make you kind to his son; he had too much experience of your kindness to him to doubt it; but it was rather writ out of complaisance to his son, who wrote

¹ Jamy and Johny, her Grace's sons.

to him to desire him to doe it. I am sure if his letter had come never so soon it could not have had more effect than your natural goodness and kindness prompted you to, my son having wrote vs word that nothing could be added to those he received from you, for which we owe you infinit thanks, and can never sufficiently return our obligations to you on that account, besides innumerable others we daily receive from you, for all which our hearts are fill'd with gratitude. According to your desire, if I had not had a letter of yours to answer, I had notwithstanding wrote to let you know that our young Master was wean'd the 12th of Aprill, and with so litle trouble that it has not coast him an ill night's rest. The nurse that nurced him did it by only putting a litle alloways on her niple. After he had tasted it once, he would never look at the breast againe. I had writ last post, but was glad to let a litle more time pass before I did it, that I might give you a more certain assurance of his taking well with it, which he does to admiration. He has but four teeth, and is not so forward in his feet as some other children are at his age, but otherwise in good health, as likewise are our Master and Mistress: They talk of going into the countrey within a fortnight, butt I doe not heare my husband speak of going, so doe not know whether he does intend it or noc. He is very well in health, I thanke God, and so am I, which you are so kind as to seem desirous to be inform'd of in my letters. Our Mistress is not yet a breeding. As soon as I come to the knowlege of her being so you shall be sure to heare it from me, so doe not flater yourselfe vpon any report of that kind till you doe. We are yet the more oblig'd to my deare nephews for their kind attendance vpon my son, since they did it so much by their own inclination, without needing your orders. I am convinced that it was not disagreeable to you, for which a thousand thanks both to them and their dear parants. You are to partial as to my son's dancing. For my nephew, I have been wittness to his doing it in perfection. I also return you many thanks for your care about the house, for what you mention will certainly preserve it. I am not less thankfull to you for the attention you have had in returning my sister Montaigu thanks for her kindness to my son, and hope she will continuc to take a motherly care of him, as he sends me word she has hetherto done. I hope she will send him back to Paris to his excersises. But I say nothing, but leave the wholl disposition of him to her. My gratfull acknowledgements for your husband's care

about his business. He nor we can never be to grateful to him for it, which with our most humble service to him, I remain, with all the tenderness imaginable, my dearest sister's

Most affectionet sister and very humble servante—

My husband presents his most humble service to you, and we both remember most kindly all our dear nephews and nieces, which are, I hope, all well.

To the right honorble the Countess of Traquare.

289. The LADY ANNE MAXWELL to the COUNTESS OF TRAQUAIR.

May the 4th, 1722.

MY DEARST AUNT,—I received your kind and obliging letter. I ought too have return'd my gratfull thanks befor this time for your kind present, which I received carfully from Mr. Smith, the valoue of five giunis. I hope euer to be sencbel of the love my dear aunt and uncle has ever had for me. God grant I may answeare the good accounts you hav had of me to the satisfaction of my parents, relations, and freinds. I expect my brother soon with his avnt. I shall ever own the obligations we have to my cousen Linton. All freinds ar well. I bege you will pleas to remember me the seventh of July, I being then just 12 years old. I made my first comunion and juble on Saint Joseph's day. Pray give my humble dutty to my dear uncel, and my humble searves to all my dear cousens. I shall endeavor to do what in me lys to be ever sencebel of the great affection you hav ever showed me, as allso us all, and may trully say you are my dearst aunt, for so I have allways found it to me. My aunt Car. is just by me, is but very indiffrent in her affairs, or I belive she would do better by me. This being all I have to say to my dearst aunt, and am,

Your duttyfull neece and humble servant,

ANNE MAXUELL.

My mam[a] beg leave to offer humble and duttyfull respects to your Ladyship, and is your most devoted humble servant.

For the right honorable the Countess of Traquare.

290. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

The contry, May the 19th [1722.]

DEARE SISTER,—Because I had writ two days before I received this I now answer, I defer'd the doing it a post or two. It bairs date the 9th of February, but I suppose it was meant March, it not having been possible to have been so long vpon the way. I made noe excuse to my husband for your not writing, since his to you requir'd noe answer, and I am confident he did not thinke it any wayes necessary to have writ to you on such a subject as desiring your care of his son, being very well convinced that you would vse him like your own, but he did it in compleasance to him who desired it, and perhaps might have taken it ill of him if he had refused to doe it; but I am sure my son will never henceforward think it necessary, having experienced himselfe how much kindness and goodness you have had for him, which noe expressions can be sufficient to thank you and your husband for, and to acknowlege the many obligations we have to you on that account. It is a satisfaction to me to see how sencible my son is of it himselfe. In every one of his letters he seaces not to mention your great kindnesses to him, so that I hope you will find in him all the gratitude imaginable; I am sure he cannot exceed in it. Mr. Hudson has lately given me an account of the great pains has been taken about his business, so that we are as much oblig'd to your husband as if it had had beter success, and most peticularly to my dear nephew, who has personaly been at so much trouble; it is very strange that there should have been a positive order not to enter vpon his buisness. I find my son had reason to say, in a letter to his father, that young as he was he found courtiers' promises was not much to be rely'd on; he finds it to sencebly; for it seems he had very fair promises made him, and [that] signify'd as litle, as the promises were great. However, God's will be done; I hope it will be permitted to come in at last. I wish my son had been a litle freer either with me or his father about Mr. G., and he should have been sooner removed, but I am glad it is done now. I have already sent you word that our young Master was wean'd the 12th of our April. He is in good health, and has a very good apetite, but has yet but four teeth. He can not stand or walk; but otherwise a fine child. His father and mother are in perfect good health. All the family is at present at the

contry, where your brother and I are also, tho' at the coast of two houses ; but there is noe help, for it would have been taken very ill if we had not. We are to stay about six weeks, than we go again to town and return hether anew in September till the begining of November. I am call'd to for my letter, so can add noe more, but hope you will be so just as to beleieve me, with the tenderest affection, your most affectionet sister and very humble servante,

W. N.

My husband presents his most humble service to you, and both of vs to your husband and our dear nephews and nieces,

W. N.

To the right honorable Lady the Comtesse of Traquaire, at Traquaire.

291. LORD JOHN DRUMMOND to MARY COUNTESS OF TRAQUAIR.

Edinburgh, June 3, 1722.

MADAME,—I know too well the concern of a mother for a daughter's parting with her not to share in it ; but, at the same time, I hope you'll do me the justice to continue your Ladyship's good opinion of me. I shall deserve nothing while absent by my beheaviour towards her to lessen it, and shall take the same care of her when at a distance as you might observe while I had the honour to be with you. We arrived here safe and in good health, and I cannot express enough of gratitude to your Ladyship and my Lord for all your favours and kindness, but especially that of having your daughter, Lady Mary, for my wife. Her merit, which I discover dayly more and more, is such a profe of the esteem you have of me, as makes it impossible for me to express my gratitude as I ought. I shall endeavour to be a kind husband to her, and begs leave vnder that name to subscribe myself, with the greatest respect, madame,

Your Ladyship's most humble and most obedient servant and dutifull son,

JOHN DRUMMOND.

My wife offers your Ladyship and my Lord her most humble dutie, as I do, and desires to be remember'd by the yong ladys as their humble servant.

This day we went to Smiton, where we found poor Lady Marischall much afflicted, having lost all hopes of Lady Garlis's recoverie, who is so weak as not to be able to move her legs when a bed without help.

292. LADY MARY DRUMMOND to [her mother, the COUNTESS OF TRAQUAIR.]

[Drummond Castle, June 1722 ?]

MADAM,—I wou'd not have slipt the first occasion of writing to your Ladyship after our arrivall, but I could not well get it done while the Dutchess was here. She and Lady Mary went from this only on Saturday. We gladly wou'd have had her Grace perswaded to leave Lady Mary some time for the gote's milke, but she said she could not think of being any longer without her just now. I can not expres to your Ladyship how kind the Dutches has been upon this occasion, nor will I pretend to give you any partikular accounts as to the order every thing was in, for I'll leav that to my brothers; all I shall say is that ther was plenty of every thing. I have bid Peggy Bowie send your Ladyship an inventory, which I thought was the best way to let your Ladyship know what was in the hous; the greatest want is sheets, for ther is 'not one in the hous but what's upon the beds, and these must be return'd to her Grace. I beg your Ladyship to come here as soon as posible you can, for I will not promise any[thing] will be in the order it shou'd be till I see your Ladyship; however, till then I shall apply myself, and obay your orders as far as I can. I will not truble your Ladyship any farther with this blotid letter, which I hope you'l pardon, and all other faults. Begging your Ladyship's and my Lord's blessing, I am, madam,

Your Ladyship's ever obedient and dutifull child,

Mary D.

I beg leav to offer my humble duty to my Lord and service to my sisters. I wou'd have writ to one of them just now, but since both my brother and sister Caty has writ, I'll refer it till another time.

293. JEAN [GORDON], DUCHESS OF PERTH, to [MARY COUNTESS OF TRAQUAIR.]

[Stobhall, 1722 ?]

MADAM,—Had not your Ladyship's letter been of an old date before I received it, by its lying some days att Perth, I should have begged your Ladyship to

have wished my Lord Maxwell a good journey in my name, and must still beg your Ladyship, when you write to him, to offer him my most humble service, and wish him good success in his affairs before the Parliament. He is happy, I must say, in having some true friends, for by those whom the family of Perth looked upon as such proving otherways, and refusing to take care of the affairs when it most wanted them, the family must have been ruined by neglect, had not my Lord John Drummond been inspired by God to act the kind part he is doing att present, by taking the same concern in his nefew's affairs as if they were his own. I have insisted a little upon this subject by reason of the concern your Ladyship is always pleased to honour the family of Perth with. I beg your Ladyship will allow me to wish yourself and all your honourable family a good Cristmess and many happy new years, with the offer of my most humble service to them, and, in particular, to my dear Lady Anne Stuart, who I honour and esteime so much for her worthy parants' sake, and for her own merite, goodness, and wisdom. I give your Ladyship too much trouble, but must, befor I ende, offer my most humble service to the Earl of Traquaire, who am, with much esteime and respect, madam, your Ladyship's most humble obedient servant and most affectionate cosen,

JEAN PERTH.

294. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

July the iith, [1722 ?]

MY dearest sister's letter of the 7th of May I received a few dayes before I fell sick of a feaver and flux, which was too violent to last very long, but it render'd me vnfit for writing for some time, which has made me the longer in answering your obliging letter. I am sory to have been the innocent occasion of any trouble to you by my silance, since I realy did write whilst on the road, and as many times as I mention'd, but where they have been lost I know not, but fancy they went not well from Urbino. But since they have anew found their way, I shall indeavour not to comit that fault. I doe not at all wonder at your being hurried the litle time you were at Edinburgh, going so seldome thether; that short time you staid must needs have been much taken vp, and I would have been very sory you had spent a minute of it in

writing to me, especialy my freind Mr. H[udson] having assured me of your health, so that I was easy, not but that, I will assure you, the pleasure of your letters, when you favour me with any, is one of the greatest I have in these parts of the world, and they are not like to increese, as you will find by the sequence of this letter, but [I] will in the first place answer yours. I very well imagine it was not pleasure that cary'd you to Edenburgh, and am very sensible that the expence must be very great you are at on the account of my nephews, which, lett their management be never so good, cannot be avoided. All I can say is, that they truly deserve it, and that I dair answer they will both in their way be a great comfort to you. I am persuaded my n[ephew] L[inton] does what he can to manage what he can with decency, and would not ask to stay, except he foresaw some perticular advantage by his doing it; and indeed he may say he has the best of parants, and I doe not doubt but that they will find them sons worthy of them, and that you will find your mutual comfort in one another. I am sory the younger children should suffer, but I hope God will so bless your indeavours so as to provide for their education also, or it would be a thousand pitys, for, God Almighty bless them, they all well deserve it. I am most sencible that the two you must keep at school must be dear to you. I wish my ability answer'd my good will, and I would ease you of some of it; but it has hetherto been my misfortune to add to your burthen, rather than lighten it. Some yeares agoe it was vnavoidable by the misfortunes we than lay vnder, and than we were to be pitty'd, but now I am sure I would thinke myself highly blamable. You have been so kind as to vse a sisterly freedome with me in the description of your affairs, for which I heartely thanke you, and assure you that none can have a more tender concern for you, or any thing that regards you, than I have, of which I shall slip noe oppertunitys of giveing you proufs, whenever I am so happy as to have any occasion in my power of doing it. But now I can only vse that same freedome with you, and lett you know the wholl situation of my affaires and my husband's. We are both at the same pention, two hundred Bollonia livers a month, and I, finding that he was in debt when I came, and could not conform himself to live vpon it, I thought it very requisit to keep mine apart, and pay a part for every thing, or else I might be lyable to have all the spending put vpon me. But that is what I doe, and have done ever since I came, which is what now I

congratulate with myselfe from the botome of my heart, since I find by yours that he has drawn vpon [you,] I will assure [you] that it was vnknown to me, and a total secret. I knew he had wrote to you, for he ask'd me for the direction, and when I gave it him, I told him I was heartely glad to heare him ask for it, for I thought it was the least he could doe to give you that comfort from time to time, and desired him to present my most humble service to you and your husband, and till I received your last letter, thought noe more of it, at which part, I must confess, I was in the highest amaise. He kept it as the greatest secret from me ; because, when he said something a long while agoe about doing it, I told him how vnreasonable a thing it was, after what we had had, and the expences you must needs be at, which I could not but guess, even before you were so kind as to lett me know it more perticularly. All I can assure my deare sister is, that there is nothing I would not vndergoe of straits, rather than augment her's, and that I have not had the benefit of one farthing from him, either from his pention, or any money he has taken vp ; tho', at the same time, I have hetherto furnish't masters to our daughter, and must keep a footman vpon board wages and in livery, my woman also vpon board wages, and pay for their lodgings, for I only take a share of the bed he must have had if I had not been here. So free I am from augmenting his expence, that when I was lately sick, the broath, and those kind of things, I pay'd for myselfe, my nurse keeper and her diet, by which I hope you will be convinced that it is not my fault if he spends, but that if I had the sway with him that perhaps some poeple might expect I should, I would employ my power in persuading him to keep in what compass he could ; but, indeed, I have noe more power with him than I formerly had, which was none at all. I have not much comfort that way, and as litle prospect of doing any other good. Our Mistress, as I sent you word in my last, is here, but in a monastry, and noebody permitted to goe in. She comes out every day to take the aire, and we all goe along with her, but I have noe oppertunity of speaking one word but in publick ; far from going in, as it was once thought, and even at times when others cannot goe, because not of her profession, she does not seem to desire me, and I cannot get notice, neither from her, nor any about her, when she has intention to doe any such thing, that I might wait on her. However, I never faile at known times. Tho' she comes not out, nor can I go in but she

sees me, so that I will not give leave to my adversaries to accuse me of having fail'd in my duty, and therefore will not leave off for any slight that I can't but see, and that my H[usband] would not have me goe. But except I am told by her not to doe it, I have noe excuse for not doing it, since all I could say was, that I perceaved she did not care for it, to which my Master might reply, Did my wife tell you so ? To which, if I could not say, Yes, he would reply, If she would not have had you, she would have told it you ; and my enemies would make an advantage of my omission ; so, notwithstanding all the slights I intend to goe on, that I may not have the regret myself, nor the reproach from others, that my pride has hinder'd me from doing what good I could to my family. My paper will permit noe more, but that I am,

Most affectionetly yours,

W. N.

A Mademoiselle, Mademoiselle Lindsey aux Religieuses Augustines Angloises, sur le Fossé St. Victor à Paris.

[This address appears to have been effaced, and there is written over it,]

“For Mrs. Young.”

295. The SAME to the SAME.

July 21, [1722.]

FOR feare my husband should miss the third post without writing, having depended vpon his doing it these two last, which hinder'd me, that you might not have two letters at once, I was resolved not to difer another, returning you a million of thankes for the great favour you have done him and me in answering the bill, which I flater myselfe, tho' second hand things are sold for litle, in comparison of their worth, however will yeild it at last. Mr. H. sent word how kind you had been in doing it, and all the circumstances, that heeathens the obligations, which can never be sufficiently acknowleg'd. Your brother has received the money, and by it you have releev'd him from both shame and disgrace. May God Almighty reward you a thousand times for your great goodness to him. If it would be but a warning to him not to put himselfe in the like circumstances again, I shall think it the best thing that ever happen'd, and [will] make me most happy. I read to him several times Mr.

H.'s letter, that he might not only be sensible of his obligation, but of the impossibility of expecting another favour of this kind, to keep him from falling into the like, and hope it will have the desired effect. If not, it is not my fault, all my comfort is, that neither me nor his children has contributed to it, since they have never cost him a farthing since [being] of this side of the sea. Nor have I had a sixpence, not only out of his pension, but even of all the money he has heretofore received, or now does from you ; which I say not by way of complaint, for I desire it not, but only wish he could make himselfe easy with it, and I would be most happy. But when I see him in difficultys which is not in my power to relevee, it goes to my heart. I doe all that I can to bring him out of straits, and on that account have at several times borrow'd, now 12, now 8, now 5, according as it served to stop the mouth of the landlord, for fear of being turn'd out of our lodgings, as much as mounts to 38 pistoles, which must now out of this be repay'd, but nothing for myselfe, I thank God. Now, my dear sister will give me leave to thank her for a letter in which she gives me notice of a match for my neice Mary. My Lord John [Drummond] has the reputation of being good-humour'd, so I hope she will be very happy ; I am sure I wish it from the botome of my heart, and there is nothing in my power that could contribut to the making either you or yours so that I would refuse. I wish I could hear of some good proposalls for the two eldest, but hope, now that you have begun, you will have the same good luck with the rest ; and if it is not such matches as they deserve, such at least as may make them easy ; for times are such that one has litle choice. I am not a litle oblig'd to your husband and my dear nephew for all the trouble he has been at about my son's affairs. The obligation is not the less though the suceess did not answer. I hope, as you say, this Parliament may perhaps be more favourable. I hear my son is come over with his aunt M[ontagu] to his aunt in Flanders, and is to stay there till the great heats are over, after which she carys him to the accademie, and is to live in that town with him, and, I thank God, takes as much care of him as I could doe myself. God reward her. Our Master, Mistress, and young son are all well. But our Mistress went last Saturday to the watters of Lucka. They are hott waters, and it is hoped will have a good effect. Noebody went with her but Mrs. Hay. Her young son has yet but four teeth, and does not walk, but is in good health otherwise, so I hope all

will goe well in time. Our Master is yet here, and it is suposed will stay till he heares his wife is vpon her return, which cannot well be expected before this two months, after which he must meet her elsewhere, for it is not safe to come into this town in the great heats, not even till the begining of November. My husband is just return'd from dining with his Master, and he tells me that it is not want of gratitude that he does not write to thank you for the great favours you have done him, but fears to prejudice you if he writ at this time, so hopes you will not impute it to the want of gratitude. He presents his most humble serviee to you, as we both doe to your husband and deare young family, that I have as much tenderness for as my own, and am, my deare sister's

Most affectionet sister and [ver]y humble servante,
[W.] JOANES.

Whenever I heare my nieee is married, I shall be sure to write to wish her joy. To the right honorable the Countess of Traquar.

296. The SAME to the SAME.

September the 22d, [1722.]

I RECEIVED yours, deare sister, of the 27th of June, a few posts agoe, but having wrote the post before I received it, and there being litle in it to answer, I defer'd the doing it, thinking it is a satisfaction to know from time to time how your freinds does in these parts; and having heard so lately you were assur'd of their healths at that time, so defer'd my writing to give fresher accounts. I will begine then by leting of you know they are all well. Our Master and Mistres quited the watters last Wensday. They send vs word our Mistres has found much benefit by bathing; and is grown fatter, but the drinking the watters did not agree with her stomach. They are now gone to the town of Lucca, and is to stay there a few days, after which they intend to take a tour in the countrey, and see what is to be seen about, so as to take vp their time till the season permits them to come into this town, which is not till the end of the next month, at which time we expect them here. Their young son is in good health, grew a litle lean with the hott weather; but now it is something more moderat, begines to gather fleche. He has now seven teeth, three

of which are since his mother went; but he does not yet walk, but begins to sett his feet to the ground and stand against a place. He has a most excellent appetite, so will gather strength in his legs in time, I hope. I have inclosed a line to my niece Mary, but not knowing how to direct it to her, beg the favour of you to either send or give it her. I must also congratulate with both you and your husband for his settlement; and hope, now you have began, that you will find matches for my other two nieces that are mariagable. I am sure their is noe freind takes a greater share in what regards them than I doe, or wishes them more hapiness, which being yours, would be a sufficient motive to me to doe, join'd with their own deserts, which would draw that from any body that had the hapiness to know them. I am most sincible of yours and your husband's kindness to your brother, and did not want this last prouf to convince me of it. I read to him your letter, and hope he will make the best vse of your advice, and will, I suppose, answer it himselfe, when he thinkes things are more settled in your parts, but would not write in time of disturbancees, not thinking it so proper to hazard a letter. As to the furniture, I was very sincere in desiring your parting with it; and never expected to look vpon that as having any more clame to it, but flater myselfe that you will not be a looser by what you have sent by my desire. As to other bills, I know nothing of them but what I doe from yourselfe, for this is the only [one] I medled in, and had not I seen my husband in the condition he was, should never have consented to part with the only thing I had left; I may safely call it so, as much as a wife can, since it was not a farthing of his money that bought it; tho' at the same time [I] have had noe share of the money was sent, but only the sum I had been forced to take vp for him before it came, repay'd to the person I took it from. As to my advice to your brother, it has not been wanting. But if I talk vpon that subject it only serves to make him more vneasy, without doing any good; so all that I can promis is, that as I have never yet put him to a farthing of expence since I came, I will still continue not to doe it, nor has his children as yet, and if my sisters lives, will not, I hope. I can not end without returning you anew my humble thanks for all the trouble you take about my son's business, and assure you of your brother's good health, which is all at present from, deare sister,

Your most affectionet sister and very humble servante,

W. N.

My husband presents his most humble service to you, and we both doe to your husband and dear young family.

To Mr. James Wauchope, marchand at Edinbrough, North Britain, for the Comtesse of Traquaire.

297. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

February the 16th, [1723.]

I AM to sensible, deare sister, of my obligations to you and yours to have miss'd a moment much less a post, without thanking you, if it had been in my power to have avoided delaying it, but it was Shrove Tusday, and that here is so full of employment, in which I was oblig'd to follow my Master and Mistress, that it was imposible for me to find a moment to doe it in, so I hope my dearest sister will excuse me for that seeming omission, and be convinced that my heart is fill'd with all the sentiments of gratitude for the pains that both her husband and my deare nephew have been at on my son's account, and recon all the success due to their great care, for which I can never sufficiently thanke them. But if ever it lys in my power to serve them, than will be seen that I have all the gratitude imagineable, for words are but poor expressions of what I feel, and therefore will only return them my most humble thanks. I am extreamly sorry that a fluction in your eyes should be the hinderance of your making vse of your own hand. But you do me justice in thinking that that you did make vse of would be most agreable to me, for there is, indeed, none of yours that would not have been so, yet I must confess I have a most perticular tenderness for my deare neice Lucy in perticular, which I hope to prove in time. I find that an appeal is lodg'd in the Parliament, and I have taken all the care I can to gett what friends I can to favour vs in it. What success it will have I know not, but whatever comes of it, I am equally oblig'd to you, as allso for your promis of doing what you can, which I have noe reason to question, after all the experience I have of your kindness. God Almighty be prayesd, my husband is in good health, and so am I. My Master and Mistris also, and our litle deare young Master, who now grows a true fine child, he walks very pretily now, and has only ten teeth, but he brieds them with so litle trouble, that I hope those he has yet to come will not hinder him from

continuing to improve every day as he, thank God, does. I have no newse to tell you, but that last Tusday we had the honor of my Master and Mistris at super with vs, so that I never could hope to have my weading day so solemnly kept, and they were so obliging as to be truly merry, which favour I shall never forget. I am really asham'd that my son's laziness should so far prevaile with him as to make him so far wanting in his duty as to write so selldom, where that allone ought to oblige him, but much more his great obligations. For my part I know not how to excuse him. It is not want of my reiterated orders, though in all other things I should be very well pleased, yet in that I am sory he proves himselfe so much his father's son. For my part I can forgive him to myselfe, who have had but one letter from him since he came over, but can never his neglect, where he is so much oblig'd. I hope he will mend ; at least I wrote twice to him for noe other end. He is at Fountainbleau with his aunt, who promises to put him to the academy in the spring. My husband presents his most humble service to your husband and you, and promises me to write next post himselfe, to return you thanks, as I will doe to my dear nephew Linton, to whom I am so much oblig'd. I beg your leave he may in the mean while find here my most humble service, as also all the rest of your dear young family, and belceve me, dearest sister,

Your most affectionet sister and very humble servant,

W. N.

Evans is very proud of the honour of your remembrance, and she tells me that there is so much to doe about the thoker good, that she is affraid the swine will run through it.

To the right honorable Comtesse of Traquaire, at Traquaire, recomended to the care of Mr. James Wauchope, marchant in Edinbrough, North Brittan.

298. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

March the 22d, [1723.]

Tho' I have none of your letters to answer, deare sister, as I know you are alwise solicitous to know newse of our young Master's thriving, I was willing not to miss letting of you know that he has cut two of his eye teeth without any trouble, so that he has now fourteen ; and as those are alwise the most

dangerous, I thought this piece of newse would be very agreeable to you. He walks now very pretily, and makes himselfe be very well vnderstood, so that he is grown a most charming child. God Almighty bless him. Our Master and Mistris are likewise in very good health, and speak of going very speedily into the contrey. But I feare we, I mean your brother and I, shall not have the honour to follow them, nor even to stay long here, except some expedient can be found for to enable vs. For tho' our Master is as liberal to vs as he is to any of our companions, yet we can not make it doe, and live with the decency that we must in this place, or any other where he is ; and I beleeeve the going else where you will scarce advise vs, since out of sight out of mind, and all that has pass't would be soon forgott, and our present allowance diminish'd vpon the first occasion ; but tho' that should not happen, yet all future pretences must be lay'd aside. That being, I wish some expedient may be found to procure a hundred pound a yeare, which would make my husband, as he tells me, easy ; otherwise he must quit his Master, and I, as my duty, follow him, which will put vs out of the possibility of ever being in the capacity of doing for any of our freinds ; whereas, if we stay we may in time be able to repay all the good offices we have received from them. So I doe not dout but you will doe all you can to find some methods of compassing such a settlement for him. He is to write to you also himselfe, and knowing his own business better than I doe, (I having been always kept ignorant of his affairs,) will no doubt suggest some meanes of compassing it. We have alwise had such proufs of your kindness on all occasions, that I doe not question your doing what you can. I hope you and all your family is in good health. I am sure, after yourselfe, there is none that can have a more tender concern for you, or any that belongs to you, than me, or would doe more to serve them, which I hope (if I live) to prove the sincerety of, at least I shall slip noe oppertunity, if ever I am so happy as to have any, wherby I may show that it is from the botome of my heart that I am your most

Affectionet sister and very humble servante,

W. N.

My most humble service to your husband and all my dear nephews and neices.

To the right honorable Comtesse of Traquaire, at Traquaire.

299. WILLIAM EARL OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

April 14, 1723.

DEAR SISTER,—I have allwayes found you so kind to me on all occasions, and so solicitous for what relats to the good of my family, that you most not wonder I have ever my recurs to you in what regaurds the standing and advantage of it, which, in the circumstances it is reduced to, can now consist in nothing but my sticking close to the company I am now in, which, if I am forced to leave, I most at the same time relinquish all protentions to any recompence for what I have don to deserve ther favours ; for services are soon forgott, even when present, but if absent, one may be assured of it ; which is the only reason that hes made me resolved to address myself to you befor I take such a resolution, to see whether any meenes can be found to provent my being forst to it. The case is thus, that altho' my Master allowes both my wife and me as much as he dos to any of our companions, (but thos that hes lodgings and diet in the hous can afford to goe mor desent in ther cloaths then wee, and yett are the first finds faults if wee doe not appear in as good apperell as them,) and, considering the incumberances he is in, it is hard for him even to continue to doe that, much less ugment it. And it wer to be doubted if it would not be diminish'd, if wee removed ; and staying, it is not sufficiant with all wee can doe to maintain us in the decency wee are obliged to be in ; that being, wee most ether remove to some place wher wee may conform our living to our income, or most have supply from home, which others hes had, and I have bein obliged only to you for myne. Death, siknes, and necessary absence makes it that ther is non of my rank to appear in publick with my Master, which makes it a greater difficulty to me to remove, then all the prejudice my family might incure by it ; for it would looke very ungenerus in me to make use of this pretence of quitting him at this juncture. A hunderd pounds a year will make us easy, and save us being reproched with having debts to pay for us, as I am afraid he hes for others. I beg you, therfor, dear sister, to doe what you can to procure it out of the estate, which I belive all the creditors will comply with, and without which I most of necessity [be] obliged to goe, for I know he can not helpe me, tho' at the same time it would allmost breke my heart at the reflec-

tions will be made at my doeing of it; but I am sure you will doe what you can to prevent both the mortification and prejudice it would be to me, since I am scensible by constant experience both of your husband's and your affection and goodnes, which I am sure is noe less on my side, since noe pleasure could be mor satisfactory to me then having an occasion of being servicable to you or yours, and I doe not dispaire in time to have opertunitys in which I may shew with what great[i]tud and affection I am, dear sister, all yours.

I have wrote to M^rKiver to receve your comands and orders about this affaier.

To the right honorable Comtesse of Traquaire, at Traquaire.

300. The SAME to the SAME.

September 28th, 1723.

It was with a great dale of pleasure, deare sister, I read your letter to my wife, dated June 29th, since it assured me that your husband, yourself, and family were in good health, which was noe small satisfaction to me, and I hope you will doe me the justice to belive I am most sineere in. As to the mortification you seem to have for my not being able to conforme myself to the circumstances I am at present in, when you cume to know what my Master is able to allow me, you will not wounder at my wanting, (pray doe not think I complain.) I only tell you, that out of 112 livres yeare, I have neer fifty to pay for lodgings, which of necessity we most have, otherwayes be deprived of the frequent honour wee enjoy of beeing with our Master and Mistress, soe has but sixty odd for cloathing and diet to myself and servant, which in this place are both very dear, especially eloathing, which if one be not as decent in as others, who have greater supplayes from home, reflexions is thrown which is not proper to write. By a letter that I hope hes been eomunicated to you befor this, you will find my Master is satisfayed with my behaviour, and desirs I may be supplayed, as I formerly write to you, that is, with 100 livres a year, which I doe not doubt may be had out of the estate, and hes by his knowlege drawn for a hundered now, which he dos not doubt but you will answer. Both he and I desires to know whether the Goverment hes the possession of your nephew's

estate, or the creditors, and in whos hands the rents are in, and what way they are consumed, for your Lord or any other hes ever satisfayed me in thos particulars. If in the Goverment's hands, and my wife be obliged to cum over to procure her joynture, she shall cum in a maner capable to frie herself from all suspitions. Be not in [the] least affraid that if my proposall be granted that I shall be uneasy, as you seem to think, on the contrerly, it will satisfay me intirly, and will obl[i]ge my Master, which will be signified to you very soon. Deare sister, I hope you will have the goodnes to lett me have your answer ; and both your husband and you continow your wonted goodnes to me, which shall allwayes be acknouliged with the utmost gratitud by your most affectionate brother and obliged humble servant. My wife presents her humble service to you, both of us to your husband and deare childrin.

To the right honorable the Countess of Traquaire, to the care of Mr. James Wachop, merchant, Edinburgh, by London.

Part of the King's letter verbatim from the original, dated August the 20th, 1723 :—

THE Earle of Nidsdale tells me he has privat concerns of his oun in the Earl of Traquair's hands from whom he has never yet gott any account of them, and as you knou the just regaird I have, particularly for the first, I would have you get Mr. Carnegy, *alias* Hall, to take a proper method of letting Traquair knou that I should take it kindly if he would settle those affairs with his kinsman here to his satisfaction, which I am persuaded he will do when he knous it will be agreable to me, and you will at the same time make a kind compliment from me to the Lord Traquaire ; and let Mr. Hall knou that I am very mindfull of his long and faithfull services.

301. MARY COUNTESS OF TRAQUAIR to [WILLIAM EARL OF NITHSDALE.]

Edinburgh, January the 1724.

I'ME asham'd, dear brother, that I have delay'd so long answering your last letter, but when you know the reason of that delay, you'll not only pardon it, but pity the sad case I have been in ; for my dear husband, who was tak'n ill

before yours arriv'd, has since that been so very bad that he gott the last sacraments, and took (as we fear'd) his last fairwell of me and his childern. It has pleas'd God to compassionet them and me, so as to reeover him out of dainger, which is the thoughts of all the physitions. Att that time I was surpris'd with a bill drawn by you upon my husband for a 100 lb. sterling, but you might well know he had not a sixpence to answer it by but of his own, with which, I assure you, he has enough to doe, considering his own family and other difficultys (which I have frequently insinuat to my sister); and knowing he was not in circumstancess to pay your bill, so I order'd it to be protested before your letter came to my hand. Since that I was unexpress-abley concern'd and surpris'd at the following words in a letter writ by Sir John to a freind, which that freind was order'd to comunicate to my husband, and is as followes :—That you tell him you have privit concerns in my husband's hands, from whom you have neaver gott any account of them, and that he shou'd take it kindly if my husband wou'd settle those affairs with you to your satisfaction. It's but within this few days that my husband was in a condition that he cou'd know the contents of your letter, or what Sir John writs of your affairs. I doe not pretend to write to you what his sentiments were upon knowing this most unexpected and unaaccountable peice of news. He was not a little griv'd that matters had been so misrepresented, as if he had effects of yours in his hands and were so unjust to so near a relation as not to transmit your own to you, tho' you be straitn'd and suffer in such a cause. Thiss is, indeed, dear brother, a very strainge office from you to my husband, after so many servicess done by him to you and your family. I must say it's very unkind, and a sad returne for all the favours my husband has done you before and since you went last abroad; for he, having no effects of yours save a little housald furniter, of no use to us, and what I cou'd not gett dispos'd of, has honour'd your bills, suply'd your wants without serape of pen from you; besides the considerable sume you owed him formerly, he even, under God, has preserv'd your family, which without his money, eredet, and his son's assiduous attendance and application, must (humanly speaking) have sunk. He might reasonably have expected other returnes from you then complaints to one we value so infinitely as we do Sir John, as if my husband had wrong'd you, and detain'd your own when your sufferings justly call for the greatest

consideration. I have sent you enclos'd a schem of the state of your affairs, to shew you that my husband has had no management of your son's estate, but that it has been still in the Government's hands since you left it till the 9th of November last, on which day your liferent was bought (to a great advantage, as every body thinks) in behalf of the creditors. I can't omit letting you know that, amongst the other concerns my husband took in your family, he, out of his own money, lodg'd a sune in ane Einglish lawier's hands to defray the expencess of the appaill, in case your son's business had com'd before the Parliament. I'me very sorry to write in such a strain to an only brother, for whom I have so much love and respect, but it's what I can't shune; and likeways to desire that you'll doe my husband the justice to remove any impressions you may have given Sir John by wrong representing how your affairs stand in regarde to my husband, and assuring Sir John, what is most certain, that no man in the world is less capable than my husband of being unkind, much less unjust, to one who suffers in such a cause, nor more ready to doe any thing he cou'd know were agreeable to one for whom he has a dutyfull respect to such a degree. Pray give my humble service kindly to my sister. I heartily wish you both many happy new years, and all happyness to your family, being ever, my dearest brother,

Your most affectionat sister and most humble servant.

My husband gives you and my sister his most humble service. My childern is not as yett com'd to town, only my husband and I came for his health, which, I thank God, is much better since. You wou'd have oblig'd me very much if in your's you had mention'd any thing of the welfare of your Master's family.

302. WILLIAM FIFTH EARL OF NITHSDALE to the VISCOUNTESS MONTAGU.

Rome, June 13th, 1724.

DEAR SISTER,—I hope you will not thinke that my so seldom writing proceeds from the want of gratitude for the many and great obligations I owe you on my son's account. I beg you will doe me the justice to belceve that on all occasions I shall be most ready to acknowlege them, so far as lys in my power, the greatest prouf of which I can give you at present is the inclosed,

which I hope you will take as a mark of my sincerity, and the gratitude with which I am, dear sister,

Your most affectionate brother and most obliged humble servant,

NITHSDAILL.

For the right honorable the Lady Visscountess Montaigne.

[*Dorso*] Lord Nit[h]sdail's letter with the King's.

303. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

March the 7th, [1725.]

DEARE SISTER,—In answer to your obliging letter of the 2d of January, which answer'd that in which I sent you word that our Mistress was with quick child, I send you the joyfull newse that she is not only safely deliver'd, but has brought vs another brave boy;¹ which was born the 6th instant, at some minuts before eleven a'clock in the forenoon. He is as fine a child as one can wish, and our Mistress is as well as can be expected, our Master and young Mistress [?Master] also, which newse I am sure will make my letter wellcome. I wonder what has occasion'd the miscarriage of my letters to you, and am glad I happen'd to justify myselfe; for as to what you imagin'd to be the reason of my not writing, you wrong'd me very much in the matter, for what happens between your brother and you, yourselves are best able to judge. I am only sorry that he should doe any thing that gives you reason to take ill, and if it lay in my power, I am sure he would not. As to my own part, I am so sencible of all your kindnesses and favours to my son and family, that I never think I can sufficiently acknowlege them, or return you my gratefull thanks.

I am glad you thinke my son sencible of his obligations to your husband, your son, and you, and hope he will alwise retain a due remembrance of your favours. I am sure he shall not want my puting of him in mind of what he owes you; but suppose his gratitude will be sufficient without the need of any body's doing that. I doe not doubt but that Corrochan will doe very well. He is one I ever had a very good opinion of, and I doe not doubt but will doe whatever he can for the advantage of the family, and think a better could not

¹ Henry Benedict Maria Clement, named Duke of York, afterwards created Cardinal York.

be pitch'd vpon. As to any accounts about the bussiness, if that comes but only from my son to me, I shall not be much the wisser, for I have never had a letter from him since he went to Scotland ; but if he would not disoblige others by his sillance, and lett it all fall only on me, I shall easily forgive him, but he has wrote but twice to his father, and as much to his aunt Mont[agu], which I feare he will find himselfe much the worse for, and also for his long abcence. I wish I may be mistaken, but feare he will find it to true. God Almighty bless him, and send he may doe what is most for his advantage, with which I will end, after having return'd you my most humble thanks for all your kindnesses to him, and beg the favour of your doing it from me to your husband and son. There is noe body can be more sencible of their obligations to them, nor more affectionatly

Your truly affectionat sister and most humble servante,

W. N.



My most humble service to your husband and young family, and mine presents his to you both.

To the right honourable Comtess of Traquaire, to the care of Mr. Evander Macquyer at Edinbrough, North Brittan.

304. CHRISTIAN COUNTESS OF BUTE¹ to CHARLES EARL OF TRAQUAIR.

Edinburgh, September 7, 1725.

MY LORD,—If ther were such a thing as Fortunatus his cape, I would certainly have conversed this day in persone with your Lordship for some hours, to have lett you know a story new to me, till last night, that Mr. Ryder, his wife, and Doctor Drumond, suped with my son and me here ; and during there bottll I was aquented with ane afaire, which conserns your Lordship and me not a lettll, and is very surprising. Tho' I was a good time in your Lordship's famillie with my son,² yet I never could make judgement of a particular atachment, only look't upon his kindnes and respecte to all the ladys theire as a

¹ Christian, daughter of William Dundas of Kincavil, was second wife of James first Earl of Bute.

² The Honourable John Stuart, who died without issue at Rome, in December 1738.

weell placed friendship, and no otherways. But I finde by this discovery ther is more in it, and am told plainly that my son is in love, and that my Lady Katherin¹ is the objecte. My Lord, the just esteem I have for your Lordship, my Lady, and all yours, makes me impaitient to aquent you with this truth almost so soon as it is known to my self, so your Lordship and my Lady may take your own way to know if there be a reciprocall inclination, and give your kinde centiments upon this plaine, friendly information as you thinke fitte, to my Lord,

Your Lordship's most oblidge and very humble servant,

CHR. BUTE.

My son knows nothing of this letter.

My Lord, I fell sudenly so ill on Tewesday's night about ten with rumatique pains, that I was oblidge to lett a hearty bleeding yesterday morning ; this occationed my not sending the inclosed sooner. You may easily beleave ane afaire of that nature is very much at my heart, espestially in such a misst of uncertaintys. But I expecte your Lordship woll dell the saime ingeniously with me, as it is my nature to do with all I esteeme and love so much. I am, thanks to God, very much better, and hops to hear of your Lordship's being weell.

Thursday, tuo in the afternoon.

To the right honorable the Earll off Traquier.

305. DR. JOHN DRUMMOND to [Mr. WILLIAM M'IVER ?]

Edinburgh, the 8th March 1729.

SIR,—This is to let you know that Lord John was here some time before Lady Marishall dy'd, and shut her eyes, which is some sort of confort in the midst of affliction. The ladys came safely, as the bearer will tell you. A meeting of friends were call'd, and all agreed her Ladyship should be coffin'd Munday first, and buried Friday at six a'clock, in the Abbey Church, decently, genteely, but privatly. After dispatching Mr. Oswell, my Lord Linton, Lord

¹ Lady Catherine Stuart, daughter of the Earl of Traquair. She married her cousin, William Lord Maxwell.

Garles, and all of us than present, thought most convenient to have some will written and subscriv'd by her, for fear Lord John were to late. Upon which her writer is sent for, and when he came we all went to her bedside, and this was an hour after she had got extreme unction. I told her Ladyship that since in all appearance she was wearing off, it would be fitt she dispos'd of what she had to Lord John or Lord Garles, or to both, to which she answer'd distinctly to both; than Mr. Farkarson drew the paper (it was propos'd Lord Garles should be put conjunct, for fear the Government people might startle some difficulty to Lord John upon account of religion,) the paper was read, which she gave attention to, and upon the writter's asking if it was her will and intention so to dispose of her goods, she distinctly answer'd yes, and with help got up to sign it. But not being able, gave the pen to Farkarson and desir'd him to sign for her, which he took, and gave back again, that she might deliver it to his servant as co-nottair, to sign also for her, which she did likewise. The witnesses to this deed are, Lord Linton, Robert Bannerman, John Drummond, John Stevenson, doctors, and Robert Hope, after which all cabinets, [and] drawers were lock't and seal'd, and my Lord Garles got the keys to keep till Lord John's arrival. This I thought might be agreable to my Lord and you all, which made me so particular. What I wrote to Lord John upon Wedensday with Mr. Vandersyppen was, according to my Lord Linton's judgement and mine, sufficient for pressing his offcoming upon Thursday morning without giving him too much alarm, and had he understood it as the Earle of Traquair did, he would have come in than, and sent of a coach for the rest, as he ouns himself now. Yet I must oun my Lady Marishall found herself so very easy Wedensday afternoon that she rose, put on some cloaths, and sat up in her chair by the fire above three hours, whereof one and an half was spent in Lord Garles' company, themselves two together, upon busines concerning her Ladyship, and after she went to bed, she told Mrs. Jeane Drummond, and others with her, that she found herself so well that she hop'd to be able next day to dine with them. She slept litle that night, and was much worse Thursday morning, and in the evening grew very ill, and seem'd than to think herself going. Lord Garles brought Dr. Stevenson with him to see her, who with Dr. Pringle order'd a clyster for her in my absence, and before six I found her pulse weak and fluttering, upon which [I] sent immediately to find

out my Lord Linton, with whom I concerted to send Mr. Oswell. This is all the account that's necessar at present, so excuse this long scribe, and make an offer of my most humble duity to my Lord, my Lady, and all the ladys and Lord Maxwell, and believe me to be, with sincere respect, Sir,

Your most humble and most obedient servant,

JO. DRUMMOND.

306. LORD BELLEW to [WILLIAM FIFTH EARL OF NITHSDALE.]

Liege, April the 27th, 1731.

MY LORD,—I receiv'd with the greatest of pleasures your obliging answer to the proposals made in my name, demanding your Lordship's daughter, the Lady Anne Maxwell. I did not make them in my own hand, being unknown. Your gracious acceptance makes me take the liberty of repeating the same in my own hand, and of assuring you that I place my greatest satisfaction in this world in a happy conclusion of this affair. The noble candor that appears in your Lordship's answer gives me secure hopes of it; and the sincerity with which I expos'd the real state of my affairs will, I doubt not, convince you of the uprightness of my intentions. I propose to be entirely happy in the possession of the lady, who has so fine a character with all those that know her. But it is not only hearsay on which I ground my happyness, having had the honour and pleasure to see Lady Ann, tho' perchance not the good fortune to be remember'd by her, and have always since that time conserv'd a perfect esteem for her. I must stay some time longer in this country for my steward, who must settle his accompts, and bring me over all necessary papers, deeds, settlements, [and] Acts of Parliament that may be requir'd. He has already left Ireland. When he is come I shall wait for your Lordship's directions in this affair, and no consideration shall hinder me from going to Rome, if you shall judge it proper. I beg leave to present my respects to my Lady Nithsdale and Lady Ann.—I remain, with the utmost respect, my Lord,

Your Lordship's most humble and most obedient servant,

Bellew



LADY ANNE MAXWELL,
WIFE OF JOHN LORD BELLEW.

307. The SAME to [the SAME].

Liege, June the 14th, 1731.

MY LORD,—A Tuesday last I was honour'd with the receipt of your Lordship's letter, and this is to return you, in the most sincere and respectfull manner possible, my thanks for the honour you have done me in accepting of the proposals made by me for to marry the Lady Anne Maxwell, your Lordship's daughter. I am much oblig'd to you, my Lord, for your consideration of the present situation of my affairs, and not insisting on my immediate going to Rome, which, indeed, at this juncture of time, might be prejudicial to me, because of some perticular accidents which I shall communicate to your Lordship when I shall have the honour of paying my respects to you. I hope soon you will have received the letter Father Carteret writ, by the last post, to Mr. Richardson, in which he writes that I only wait'd for your Lordship's answer, and that immediately after I shou'd set out for Lyons, and there wait your final determination as to time and place, which I shall expect with the utmost impatience. In the meantime I beg, my Lord, you will do me the justice to believe me, with all imagineable respect,

Your Lordship's most humble, obedient, and most oblig'd servant,

BELLEW.

My Lady Nithsdail will, I hope, accept of my duty and respects.

308. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

[Rome], the 2d of October 1731.

DEARE SISTER,—I have this considerable while been expecting every post the good newse of the conclusion of my son's happy mariage with Lady Cathrine, a happiness he has long covetted, and I as long have been indeavouring to procure him his father's consent to; but he writing to him in his last, that they were to be marry'd on his beirthday, the 27th of June, I doubted not but before now to have received the pleasing account of it; but suppose it an ill effect of a good cause, which is that he is so taken vp with his present satisfaction that he has forgott he has not pay'd that duty to his father and me which, tho' I

can easily pass over, I am affraid he may resent it more, but shall indeavour to excuse it to him in the best manner I can at his return, for at present he is not with me, he having gone to the watters at Luca, and caryed my daughter with him ; and this is to inform you of her mariage there, on the 13th of September, to my Lord Bellew, who met them at that place. He has a sufficient estate, and the best character from every one that speakes of him that I have heard, which he has not bely'd in his generous settlements vpon her, far beyond what her small portion could require, and your brother sends me word he is extreamly fond of her, so I hope she will be happy. My Master, Mistress, and all theirs are well, I thank God, and sincerely wish this may find you, your Lord, and all your deare family in the like state. My most humble service to them all, and with the wishes of all prosperity and hapiness to them and you, I remain, deare sister,

Your most affectionat sister and very humble servante,

W. N.

To the right honorable Comtesse of Traquare, at Traquaire.

309. LADY BARBARA STUART to [her sister, LADY MARGARET STUART.]

Drummond Castle, December the 18th, 1731.

PRAY, Margaret, what in the world do you mine, after this three months and more silence, by writting in such a stile ; but if that be all the kindness or consceren you have for me, you might have saved yourself of that trouble. But, upon my word, madam, you give yourself great airs, saying that I am not bleat, for what, I believe, you don't know, and telling me, too, you are not much in my debt. If I were not extravagantly angry, I would not have writt one sillable to you ; but I do it more to vent my passion by scolding you, then that I think you desire it. Now, since you have provoked me, what's your pretensions to have expect'd any letters from me since I came to Drummond ; you never ansuered my last I wrote before I left Traquair. However, I would not have stud for that, but do not emagine I will bod my letters upon you. I heard you was able to subserive letters to Traquair, for all your sore eye, when you was at Terregles, tho' not at the pains, nor had the discretion to do so much [as] to enquire any thing about your friends here. I suppose that has

been the least of your thoughts, when you know that M. S. by your own hand would have satisfy'd me. So if that be all the manners or civilitys you have learn'd in Gallowy, you might setten at home. If I had time, I wou'd tell you more of my minde, so shall not trouble myself any farther just now, but only to tell you, Mrs. Margaret, that you have been a forgettfull person of your friends in Perthshire, and that I am your sister,

BARBARA STUART.

I gave your fane to Mrs. Leith when I was at Edinburgh to be help'd, so you'll cause inquire at her what is become of it. Be sure when you writt to good Lady H. C. not to forget to lett her know how much I am her very humble servant. I cannot think of sealing this epistle for all that's passt without wishing my dear Peggy a happy Christmass, together with a good New Year, and long continuance of them. Burn this hasty ill natured scrwalls. Adieu.

310. WINIFRED COUNTESS OF NITHSDALE to MARY COUNTESS OF TRAQUAIR.

January the 30, 1732.

DEAR SISTER,—It was a singular satisfaction to me to see once more your hand, a pleasure I have been long without, but hope this new tye between vs will induce you to give it me more frequently. The character you have heard of your neice, I suppose, has been given by freinds, but, thanke God, she had the good fortune to be prety well spoaken of, and I hope she will make a good wife; and Lord B[cllew] seems by reputation to have all the qualitys to make a wife happy, and is very fond of her. It wou'd alwise be very natural for me to wish it, but I must confess I am the more solicitous about it, because she has had noe hand in the choise but obey'd her parants; which I hope God will reward with a true hapiness between them. And now you must give me leave to congratulate my own, in my son's being settled so much to his satisfaction in Lady Catherin, and hope he will make it his study to make her happy also; she is come from to good a stock to doubt of her making him so. I flatter myselfe with the hope that the report is true, that she is in the way of making vs soon both grand mothers, which I wish with all my heart; as I doe that this may find your Lord, (to whom my most humble service,) you, and all your

deare family in perfect health, which, join'd with all other prosperitys, is earnestly wish'd you by, deare sister,

Your most affectionat [sister] and very humble servant,

W. N.

My Lord presents his most humble service to your Lord and you, and all your family, and mine to them all.

To [the right] honourable the [Countess of T]raquare to the . . . allace over against Canongate, Edinburgh.

311. The LADY BARBARA STUART to [the LADY MARGARET STUART.]

Drummond, April the 28, 1732.

DEAR PEGGY,—It was scarcely possible for me to answer your jenty letter sooner. I got it about a fourtnight ago, and almost ever since we have been paying visits or receiving them. I beg you'll be so good as recommend my earring to Mrs. Leith's care, and cause writt to her not to send them here till she get a sure hand. Tell brother Linton his expedition to Combyr markt has gain him a great character in this country, and Rob Roy told us there were some lads there wou'd draw their swourds for him. He, at the same time, ran wondersly out in his praise, and said, too, he expect'd to see him up in his place of the country this summer. I wish he may not disappoint honest Rob. We are to have widdow Wer¹ this summer, within two mills of Drummond, which will be a fine louter for Master John. I reckon you have not heard of ald Gask's² death, who dy'd pritty suddenly; and Lady Condy, his daughter, who was long ill befor, dy'd very soon affter him, when the folks that was about her did not expect her death. The Lady Callinder, they say, is in great grief, and has not seen company since she came home from Perth. Balgown,³ his lady and son, who stay'd here two nights, went from this yesterday, and the

¹ Widow Weir. She was the daughter of Sir Philip Anstruther, Baronet, and relict of Sir William Weir of Blackwood. She did marry afterwards "Master John," i.e., the Honourable John Stuart, who, on the death of his brother, Charles fifth Earl of Traquair, became sixth Earl.

² Sir Laurence Oliphant of Gask.

³ Thomas Graham, ancestor of the late Lord Lynedoch.

Lady and Lard of Logy,¹ and his nice came to here. We are too go with them and dine at Abercainry to-morrow. They are to return with us. We are designed to bring Miss Murray to Drummond, if we cane, to get a bold dance made out upon Saturday, it being our Lord and Lady's marriage day; and Mr. Kennedy has been here these 5 days, now you may easily judge how hurry'd I am. Pray excuse all faults, and believe me to be ever yours while

B. S.

312. LORD BELLEW to his brother-in-law, WILLIAM LORD MAXWELL.

Rome, July 20th, 1732.

MY LORD,—I believe it may be now about six months since your sister (Lady Bellew) writ to you to acquaint you with her marriage, and at the same time made my complements to your Lordship, which I shou'd have done myself by letter, but that I judg'd it wou'd be giving you an unnecessary trouble. But since your Lordship has not hitherto thought it proper to take the least notice of either of us, I now think it very just and reasonable that I shou'd know from you, my Lord, when and in what manner you intend to pay your sister's portion. I so much depend'd on the receiving a part of it before this time, that I made a journey to Rome on the strength of such expectation; but meeting with so very great a disapointment from your Lordship, I now find myself in a good deal of distress for want of money, and oblig'd to draw on you for the sum of £300 sterling, which I hope you will punctually pay when due. I desire to cultivate a most strict and sincere friendship with your Lordship and family, since I now have the honour and happyness of being so closely ally'd to it, and therefore shou'd be inexpressably sorry to find myself ever under a necessity of having recourse to such measures as wou'd perhaps destroy that amity which I so much wish may always remain between our famillys. I shall expect your answer with the last impatience, and am,

Your Lordship's most humble and obedient servant,

BELLEW.

To the right honorable the Lord Maxwell.

¹ Drummond of Logiealmond, in the county of Perth, now represented by Sir William Drummond Steuart of Grandtully, Baronet.

313. WINIFRED COUNTESS OF NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

December the 10th, 1732.

LAST post, deare sister, brought me the satisfaction of yours of the 14th of October, which received a double wellcome, bringing me the agreeable newse of my daughter Maxwell's being so neare her time, a most vnexpressible joy to me, there being nothing I wish more than the continuance of a family so deare to me. God in heaven send her a happy hour, and [I] hope you will be with her, since I cannot, which I would not have fail'd if distance and my circumstances had permitted ; but I am sure noe care will be wanting when she has a kind mother by her at such a time. I hope, if you have not time to write yourselfe, you will make some of my nieces doe it, that I may not miss a post after her safe delivery without the pleasing account of it, till which I shall not be out of pain, nor shall miss a day without praying for it. I beleieve my daughter Bellew will come much about the same time, so that I shall probably be a grandmother of both sides in a short distance of one another. I know you have so kind a concern for your neice that I shall be very punctual in letting you know it as soon as she is brought to bed. I congratulate her having my two deare neices with her. My kind service to them both when you write, and tell Lady Lucy that I thought she would never have forgott her poor aunt, that has so perticular a kindness for her ; but she shall alwise notwithstanding find me as ready to serve her if occasion presents as ever. I doe not forget Lady Anne neither ; in fine, all the family is dear to me, and I would think myselfe happy to be in the power of serving any of them. I long to heare that Lord Linton has gott a good wife, and cannot but think it is high time he should ; in fine, there is nothing that could contribut to the wellfare of your family that I doe not sincerely wish. I am not a litle joy'd to heare Lord Traquer is now in so good a state of health. God continue it, and preserve him long to you. My most humble service to him, as also to my deare nephews and Lady Peggy ; in fine, that all prosperity may attend you and yours is the sincere wish of, dear sister,

Your most affectionat sister and very humble servante,

W. N.

Lady Bellew and her Lord presents their humble duty to you. Your brother and all our family are in good health, and so is my Master, Mistress, and their charming children. Evans and Mrs. Lindsay has their most dutiful respects to you. They are both very well, the first still with me, and the other with my daughter. They were both charm'd with your goodness in rememb'ring them, and return you their most humble and gratefull thanks; your brother his humble service to you and your Lord.

314. FATHER JAMES HUDSON, S. J., to MARY COUNTESS OF TRAQUAIR.

Edinburgh, August 1, 1733.

MADAM,—According to my promise to your Ladyship, I dispatch'd my letter, and doubt not but it will be seen by more than two eyes; neither shall I be surpriz'd, if I learn hereafter that the contents and strain were not relish'd. My wish is that your Ladyship had been within reach, and had heard me read my own words. What now remains is, that I supply what haste at parting made me forget, and it is but just that I beg help for my friends at your Ladyship's hands. Every morning since I parted I have been mindfull of them, and design to continue this same practice for some time. Your Ladyship, as more deeply interested, will no doubt concur in the following manner:—*First*, a promise of the first seven breakfasts; ¹ *2d*, a promise of the first thirty hearings; ² *3d*, some alms design'd for that same end; *4th*, as many trusty friends as can be had to do and offer the like, more or less, yet these need not be told any more than that all is to be perform'd according to your Ladyship's intention. This alone, without more words, is sufficient. But, seeing so much lies at stake, I wish the two young folks (who are most of all concern'd in the good or bad success) might be brought to do their parts, and join in so good a work. I press heartily for help from many hands, because I put no trust (no, none at all) in any arm of flesh; but hope and expect relief only from above. If by such means the main point of preventing a process be gain'd, I shall reckon it one of the greatest favours I ever obtain'd by my

¹ Seven Holy Communions.

² Thirty Masses.

freinds. I beg the honour of my most dutifull respects to the Earle of Traquair and all the young quality, and thus continue, madam,

Your Ladyship's most obedient and most obliged humble servant,

J. H.¹

For the right honorable the Countess of Traquair, at Traquair.

315. WILLIAM LORD MAXWELL [to the EARL OF TRAQUAIR.]

Terregles, the 2d of June 1738.

MY LORD,—Mr. Veitch threw himself to be here one day when last in the country, assisting in the search for some writs necessary both for the sales, and strengthening my plea against the multures of Holywood. As to the first of these, some papers were found, but without my Lord Nithsdail's retour, which he forgott to bring with him from Edinburgh, nothing satisfyingly could be done with any purchasers, so that there's a stand as to that matter till he send the same retour in here; and, as to the multures, there was as much plainly discovered from the charter-chest as to fully support my claim, viz., to instruct that the Cluden millns are the millns of the barrony of Holywood, and in the right of this family, which the abstracters refused. Now, this being the case, and both interest and honour at stake, I must intreat your Lordship to lett it be signified to Mr. Veitch that I expect the utmost application this summer session to have that plea ended. It has cost me a journey or two to Edinburgh allready to forward these concerns, and I am sorry to say I find not that dispatch I could wish for, or that others gett in lesser matters. There's one thing as yet more materiall which we that day discovered from the charter-chest, viz., a kind of bond of tailzie by Sir George Maxwell as to his Scotts estate in my favours about the year 1707 or thereby, and another deed about the year 1712 or 1713 or thereby, signed by the late Thomas Maxwell of Cuil, after the English manner, declaring that tho' Sir George had then made and conveyed over to him his Irish estate, yet the same was wholly in trust for the behoof of my Lady Mountaigue in liferent after Sir George's death, in

¹ The letter shows that Father James Hudson was still in Scotland, and interesting himself in the wellbeing of the family of Nithsdale.

discharge or barr of her jointure, then to me and my airs male ; which failing, to a son of your Lordship's family and his aires male, taking the name of Maxwell ; which also failing, to a son of Guelston and his heirs whatsoever. These papers were in no inventory that ever I saw, and we were concerned they had been so long dormont ; wherefore I thought it proper that Mr. Veitch should carry them into Edinburgh, to be advised if they can be of any use. I am of opinion that, especially as to the Irish affair, it should be soon looked into, as well as the other, for that Cuil's widow, and Herron her now husband, actually have disposed on the same ; and it's certain a gentleman from Ireland came over since I came home with a good many hundred pounds to them in cash for such a transaction, and she being a sickly, tender woman, it may be necessary to have her oath. But as all this is but guess work from me, I begg pardon for giving your Lordship this trouble ; but I must earnestly begg your Lordship may give orders to take adviee what stepps to take herein without loss of time, which will be a favour never to be forgott by, my Lord,

Your Lordship's most affectionat son and most obedient humble servant,

Maxwell

P.S.—My wife offers her most humble duty to your Lordship, as we both doe to my Lady, and begs to have the honour of seeing you here again the seven [and] twentieth of June, and hopes your Lordship will command ovr coach horses whenever you please.

316. WINIFRED COUNTESS OF NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

January the 29th, 1739.

DEARE SISTER,—I would imediatly, with the assurance of my pen, have coresponded to the lasting freindship which Mrs. Lindsay told me you desired might alwise be between vs, which shall never knowingly faile of my side. But to tell you the truth, tho' I hope I have not offended God in it, having desired His will might be done in all things, yet my great troubles, and illnesses occasion'd by them, has hinder'd me from writing hetherto. But as there is a Providence in all things, the not being able to procure an answer from my son

to the article the inclosed paper will inform you of, which is a transcripſion of John Alves' laſt to his freind, conſtrains me to give you the trouble to indeavour to procure me one from him of the truth of the matter, and how it ſtands ; for when he came to Bologna he ſaid all matters were ajuſted between William Alves and him, and I can not well imagine that £50 he lent me vpon ſo preſſing an occaſion, as going to your brother in ſuch circumſtances as he was than in, was not comprehended, ſo beg of you to obtain from him a poſitive answer, that I may know what to ſay with truth, and neither he nor I be ſham'd with ſo ſmall a debt, contracted vpon ſuch an account. I need ſay noe more, for the incloſ'd will inform you of the whole buiſneſs, only that he has wrote ſeveral letters to me about it, and I as often to my ſon, without getting an answer from him. But one thing I muſt mention, which was that I gave my note, which ought to be produced, but that he pretends is falen aſide. However, one way or other, I beg to know what I am to ſay, that I may not be importun'd with more letters to myſelfe and others vpon ſuch a ſubject.- Of the other ſide, if he is aſſur'd it was eomprehended in his diſcharge from the father, let him but give a poſitive aſſurance of it, for John Alves pretends my note is loſt, ſo the law cannot oblige him to pay it, but ſuch things has been invented but only to ſuply conſcience and honour where it was wanted, or the want of memory at the beſt. The twelve guineys he mentions to have received as a partial payment may perhaps have been ſent by him as a charity, to releve him in his ſtraits. Our correſpondance by letters I ſhall renew, ſince Mrs. Lindsay tells me you deſir'd it. She preſents her moſt humble duty to you. I hope this will find your Lord, ſelfe, and deare family, in good health. May all hapineſs and proſperity attend them in this new yeare, is moſt ſincerely wiſh't, and moſt earneſtly pray'd for by, deare ſiſter,

Your moſt affectionat ſiſter and very humble ſervant,

W. N.¹

We have loſt poor Mr. Steward, for whom I had a perticular kindneſs, and is truly regreted by me in perticular, and I cannot but ſay by the wholl family. My Lord preſents his moſt humble ſervice to you and your Lord ; mine, pray to all your dear young family. I pity with all my heart his poor mother, Lady Bute ; if [you] ſee her, let her know the ſhare I take in her affliction.

¹ This is the laſt letter from Lady Nithsdale.

317. Coppey of JOHN ALVASES letter :

[Holograph of WINIFRED COUNTESS OF NITHSDALE, and referred to in the preceding letter from her.]

[c. January 1739.]

THIS is only to lett you know that, notwithstanding of all the trouble you have been at with my Lord and Lady Nithsdaill on my account, and notwithstanding their honourable intentions to doe me justice, yet my Lord Maxwell cannot be prevail'd vpon to give me either money or security for any part of my clame, so that, vnless my Lord or Lady Nithsdaill draw a formall bill vpon Lord Maxwell, payable to me or my order, for the principal and interest of what, they are convinced, I have a just clame to, I shall never gett one brass farthing from his Lordship. I hope you will not think it an vngrateful task to represent once more to my Lord or my Lady that my vnfortunate circumstances calls loudly for their honourable interposition in this affair ; and shew them that the honour and credit of the family may suffer, if I have noe kind of justice done me. I have been advised by my best freinds to put all the particulars of the story in the London and Ednburgh Gazetts, as the only way to make my Lord Maxwell doe me common justice ; but the sincere reguard I have for the family makes me abhorr such a disperate course. About a year agoe, indeed, his Lordship sent me twelve guineys as a partial payment ; but that is all I am like to gett, vnless my Lord and my Lady can fall vpon some method to persuad Lord Maxwell to think more seriously of the justness of my clame. Lord Maxwell and all the world must be sencible that when my father lent this money, that his only view was to serve my Lady, and as it happen'd all the family, vpon a pinch, with glorious success. Dear docter, I must beg of you to lett me heare from you once more vpon this subject ; but tho' I should never recover one farthing of my clame, I shall recon myselfe alwise much obliged to you for your trouble in the affair, and tho' I am reduced to a much worse condition than you ever could have imagined, yet I cannot take their advice who would persuad me to attempt to expose my Lord Maxwell, for I am so sure that my father had so inviolable an attaehtment to the family of Nithsdaill that I must carry the same with me to the grave.

318. GEORGE SECOND EARL OF DUMBARTON to [MARY COUNTESS OF TRAQUAIR.]

Ruisseauville, the 14 Junc, N.S., 1741.

MADAM,—It's a trespass upon your Ladyship's goodness to trouble you with a letter from your poor cozen Dunbarton, and I flatter myself that you will be pleased to excuse it, and impute it to the iust concern I haue for you and yours, and which shall euer and euer be the same, be assured of it. I know the concern you was pleased to express for me, and I thank God Almighty euery day of my poor life for the fauours you are pleased to honour me with, and of which I beg the continuation. God of heaven return you His blessings. Excuse me if I trouble you at present, but realy the terrible necessity I am reduced to is the only occasion of 't. If your Ladyship would be so kind to your poor cozen as to send him fourty pounds sterling, it would be the greatest charity in the world, for I am reduced so low, that I am oblidge[d] to be in want of seuerall things that are necessary in human life. May not I hope for success in your Ladyship's goodnesse, in your charity, and in the honour I haue of been your near relation? If you will be so kind as to send it to me, you may cause writ to Mr. Charles Smith, who liues at Boulogne, who will forward it to me; and I pray the good God of heaven to bless you and yours in this transitory life, and then take you to His diuine presence. How does my good Lord Traquair? My hearty and sincere wishes attends him; and if I may be so bold, I pray your Ladyship to assure him of my most humble respects, not forgetting my dearest Lord Linton, and his dearest brother. I flatter myself that your Ladyship is assured that I am, and shall euer be, with the greatest respect and sincerity, madam,

Your Ladyship's most humble, most obedient servant,
and most affectionat cozen,

*Dunbarton.*¹

¹ George [Douglas] second Earl of Dumbarton. In a letter from this nobleman to Lady Jane Douglas, dated Douay, Jan. 7, 1749, he says, "As for me, I live quietly here with a gentleman that boards me and my servant, and I try to make a shift with my poor fortune."—[Defender's Proof in Douglas Cause.]

319. GRIZELL BAILLIE, daughter of George Baillie of Jerviswoode and Lady Grizell Hume, his wife, to [MARY COUNTESS OF TRAQUAIR.]

Millerstain, June 1th, 1743.

MADAM,—Tho' I have not the honour to be known to your Ladyship, I am not unaquainted with the good and valuable character of your family, and write this at my mother's desire, as well as from my own inclination, to beg your Ladyship wou'd excuse us to my Lord for the intention we have of calling Mr. Duncan from his church. We flatter our selves you will not grudge him to us, since he is to be placed in a church so near us as makes it the most convenient for us to go often to, and as your Ladyship's family dos not hear him, we hope you will not think us in the wrong to do it. I beg my humble service to Lady Lucy and Lady Ann, who I once had the pleasur of knowing, and I am, with sincere respect, madam,

Your Ladyship's most obedient humble servant,

Grizell Baillie

320. LADY MARY MAXWELL¹ to MARY COUNTESS OF TRAQUAIR. .

York, November the 17th, 1743.

MADAM,—I shou'd sooner have presented your Ladyship with my own and sister's humble dutys under my own hand, had I sooner known how to direct to you, which I beg your Ladyship will now accept of, who hope your dear self and all friends at Farrenton are as well as these leave us. My sister joynes with me in humble respects to Lord John Drumand and dear aunts Lady

¹ Lady Mary was the elder daughter of William Maxwell, commonly styled Earl of Nithsdale, and his wife, Lady Catherine Stuart. Lady Mary died at Terregles, on 21st December 1747, aged fifteen years.

Mary and Lady Bab, to whom I intend myself the pleasure of writing very soon. I humbly beg your Ladyship's blessing, and remain, with due respect,
Your Ladyship's most dutifull grand daughter and obedient humble servant,

Mary Maxwell.

I beg my compliments to the Duke and Duchess of Pearth, and to Lady Mary.

To the right honorable the Countess of Traquire, at Farrenton, recommended to the postmaster of Crieff, by Edenbrough.

321. THE HONORABLE CHRISTIAN STUART¹ to [MARY COUNTESS OF TRAQUAIR.]

Earlshall, August 7th, 1744.

MADAM,—I take the first opportunity that offers to pay my duty to your Ladyship by making acknowledgments for all your goodnesses to me, which I shall ever remember with the utmost gratitude. The happiness I injoyed at Traquair has made such an impression upon me, that I envy every one in your neighbourhood for having it in their power to see my dear mama (if I may take the freedom to call your Ladyship so) oftener then I can; but, to make up for this, I beg to have a place in your memory, and a share in your prayers. Allow me to acquaint your Ladyship that your son and I finished our journey and arrived safely at Earlshall upon Friday last, where we found our friends and our two little ones in perfect health, little Charles² changed so much to the better that he is a young giant, tho' as yet no appearance of teeth; my daughter has now twelve, and I think her eye teeth are just a coming. She has taken a hoarsness for some days past, which makes me uneasy, but they tell me it is an effect of her teething. I hope it so, tho' I wish it were over.

¹ She was daughter of Sir Philip Anstruther of Anstruther, in the county of Fife. She married the Honourable John Stuart, second son of Charles fourth Earl of Traquair, and afterwards sixth Earl of Traquair.

² Charles, afterwards seventh Earl of Traquair.

Charles is very fond of his new cloake, and as vain of it as can be. I have sent by the bearer four pounds more of the crown tea, which is all I could get of it for your Ladyship; but if you please to have any of that I gave to Mrs. M'Iver, I can send as much as you have a mind. The price is seven shillings. If your Ladyship will let me have your orders with this man, you can have it soon, for Mr. Stuart talks of sending him to Traquair with stock-annats for my Lord; at present he goes an errand to Berwick, and takes Traquair in his way, to deliver the tea and two pair [of] thread stockings I bought for your Ladyship. I could get no more that I thought wou'd fit you. The bonny Earl of Murray (who was our fellow traveler) made the price, which is 18d. the pair; if you approve of them, I shall see to get some more. I have had no opportunity as yet to get the blue, but shall send it with the tea, if your Ladyship takes any more. I must now sollicite your visit to St. Andrews against the time I am to present you another grandchild. Your Ladyship's presence will soften the terrors of that dreadfull hour to me, and I know you are fond of doing good. I shall intreat you every opportunity till you consent to do your son and me this honour. Meantime we beg of Lady Lucy to be with us when your Ladyship goes to Terregles; we wait her orders to send the chaise to Kinghorn, whenever she fixes the time. My Lord and the young ladies (to whom I presume to offer my compliments) has my esteem and friendship. Mr. Stuart offers his duty to your Ladyship, and with the utmost respect and gratitude, I am, madam,

Your Ladyship's most obliged and dutifull daughter and
obedient humble servant,

CHRISTIAN STUART.

P.S.—My paper and pen deserves ane apology, but they are the best I can get here.

322. JAMES MAXWELL of Kirkconnell to WILLIAM CRAIK of Arbigland, Esq.

[1745 ?]

DEAR WILLIE,—By accounts this day from Edinburgh, almost every body is going along with the stream, so that a short delay wou'd lose all the merit. This has determin'd me to do the thing so suddenly that I have not time to

send for you, unless it were to see me go off, which is impossible. I depend upon your protection for those I leave behind. What gives me the greatest concern is least some such creditors as have still my father's security shou'd molest him in my absenee. I reecomend particularly to you that if you hear of any you'll endeavour to make them sensible that they are as safe as before ; and tell the Commissary that I expect the same pieee of friendship from him, who lyes more in the way of hearing what passes of that kind. I believe there are 3 or 4000 French or Irish landed in Wales with Lord John Drummond. The Highland army marches south the beginning of the week.

Farewell, dear Willie ; God bless you. Ever yours,

JA. MAXWELL.¹

Saturday.—I set out before daylight to morrow.

To William Craik of Arbigland, Esq.

323. WILLIAM MAXWELL of Nithsdale, to WILLIAM CRAIK of Arbigland.

[Edinburgh], October 13, [1745.]

DEAR SIR,—I have both yours, giving your opinion on the present affairs without assigning your reasons, and, as I take it, urging an answer from me, whether I am determined to take a share in the present enterprise, which you seem to think I should not. I shall answer the last first, by telling you that I have not yet fully digested thoughts on that matter, only be assured I'll do nothing rashly, that's only for desperados. As to the other, I'm ready to believe you agree in opinion with me, that as matters are come this length, it's now greatly the interest of Scotland to wish success to the undertaking, and that nothing but the improbability of suecess should hinder every Scotsman to join in it ; and, indeed, I don't think there's great reason to fear that either, unless vast numbers of foreign forces are poured into the countrey for support of the party in

¹ James Maxwell of Kirkeonnell, the writer of the foregoing letter, representative of one of the oldest Catholic families in the Stewartry of Kirkeudbright, and a cadet of the family of Nithsdale, took a decided part in the rising of 1745. After the unfortunate battle of Culloden, he escaped to the Continent, and resided five or six years at St. Germain. Whilst there he wrote a Narrative of the Expedition of Charles Prince of Wales to Scotland in the year 1745, which has been printed for the Maitland Club. He returned to Scotland about the year 1754, and, in 1758, he married Miss Riddell of Felton. He died in the year 1762, aged 54.

possession. The militia of England are little to be feared, nor do I believe they'll be trusted with arms, as there's a chance what way they may be used, particularly by that part of the countrey, who only know how to handle them. As to the Dutch who are come over, there's now the greatest reason to believe they'll be recalled, and it may be some time before others are sent in their place, if at all. I do believe the States, if they dare, will give all the support they can ; but if France shall really prove in earnest, I imagine they'll consider it necessary to be quiet. Other foreign forces may be sent in, but, on the other hand, there's a very great probability thir people will likewise get aid, and here there's assembling a very numerous resolute army. The prospect of the situation of the countrey, for some time to come, must affect every well wisher to it, and the consequences to this part, if the undertaking shall misgive, appear to me terrible ; if it succeed, what have we to fear ? You'll answer, the introduction of Popery and arbitrary government ; but I don't imagine, considering the success and fate of his grandfather and uncle, that will be attempted. And as to any fear that we may be made dependant and tributary to the foreign powers giving aid to the present adventure, that I'm not apprehensive of, nor do I imagine it would be in his power to accomplish tho' inclinable to it. I shall say no more on the subject, only it's easier preventing an evil than remedying it, and that may be applyed to both sides. In this one, further observe that I think it's the interest of the nation to have a sovereign settled whose title is unquestionable. We see the inconveniency attending the other. You'll perhaps answer, there will still be a pretender ; but I reply, not so dangerous an one, if at all. You write in your letter, that people may without reasoning be heated, and led away with popular arguments. I assure you I'm none of those. What I have said now is on a Sunday forenoon, when quite cool'd by the operations of a purging potion. However I should wish you communicate my mind to no body. If any material news occur before the bearer leave Edinburgh, you shall have them ; and tomorrow I'll mind your commission, and any other you shall give with respect to your nursery, etc., which I hear you're still carrying on, and that your garden wall is now completed. If you had some peices of cannon to place in it, would it not keep out against an army not provided with battering pieces, seeing it's at a sufficient distance from the thundering of any castle ? Were it not for fear of your

horses, I should wish you came in here, and saw the fortifications made on our city walls, and the army against which they were intended; the last is worth your while. No Court in Europe is filled with such a set of well look'd brave fellows. I hope my dykers are going on, and beg you'll cause acquaint the tenants to have their rents ready, in regard I'm to be soon in the countrey, and won't make any stay above a day or two; this to them, but to yourself I can yet fix no time for coming out, as I can't think of leaving Edinburgh till I see how matters turn, and it's also necessary to stay and take care of my house, furniture, papers, etc. I believe I shall eat my Christmas goose with you if I don't go into England, which I would incline for sake of a jaunt, if I thought it safe and had a right set with me. I ever am, dear sir, yours, etc.

324. WILLIAM CRAIK of Arbigland to WILLIAM MAXWELL of Nithsdale.¹

[1745.]

MY waiting for a safe hand to convey this to you has prevented my answering yours of the 13th sooner. It must give me great pleasure that you have not determined to engage in the present enterprize, which, from several apparent symptoms, I had reason to apprehend; and if you stick by your promise of doing nothing rashly (fitt only for desperados indeed!) in a matter of such moment, I shall be sett at ease from the anxiety I felt on your account. In mine, which gave occasion to yours, I really had no intention to enter into the merits of the cause. All I meant was to make experiment how far my interest with you could prevail to keep you undetermined till meeting, when I might promise myself more success in reasoning upon this subject than while you remained in town, where the spirit of the place, the people you converse with, the things you hear and see, all unite to inflame your passions and confound your understanding. But since it has, beyond my intention, engaged you to explain your sentiments at large, and to call upon me to give mine, and since I suppose your arguments contain all [that] can be said by those of the party who would be thought to judge coolly and act reasonably at this juncture, I shall consider them with the freedom and openness of a friend, as they lye before me

¹ From a contemporary copy in the handwriting of Mr. Craik.

in yours, and if I am forced to exceed the limits of a letter, you may blame yourself, who drew me in. You tell me you are ready to believe I agree in opinion with you ; that, as matters are come this length, it's now greatly the interest of Scotland to wish success to the undertaking ; and that nothing but the improbability of success should hinder every Scotsman to join in it. This, tho' a verie material point, you take for granted, without assigning a single reason ; but as I know it is one of those delusive arguments now much in use where you are, and the chief engins of the party to seduce well meaning men to concur in the ruin of the constitution and their country, I shall give you what I apprehend you must mean by it in the most favourable light it will bear, and then, from an impartial stating of the fact as it truly stands, leave yourself to judge how far an honest man, a wise one, and a lover of his country can justify either to himself or the world his being of this opinion. The meaning of your argument I take to be this, that by the unaccountable success of the enterprize, and the tame submission of the people in general, if the scheme misgive, all Scotland becomes involved in the guilt, and may expect the outmost severitys this Government and the people of England can afflict them with ; but, one the other hand, should the undertaking be crowned with success, as Scotemen have the merit of it, they must become the peculiar favorites of the family they have raised to the throne, and reap all the advantages they can promise themselves from a gratefull and generous prince. I hope I have done justice to your argument ; allow me allso to do justice to facts and truth. The people of Great Brittan having found from repeated experiments how precarious their libertys were in the hands of princes who founded their title to govern them in hereditary right, that, however absurd the pretence was in itself, no example could make them forego a elaim which so much flattered their ambition, and upon which only with any show of reason arbitrary power and tyranny can be built, at last determined to secure (as far as human prudence can) the possession of that inestimable blissing to themselves and posterity by fixing the regal power in a family whose only title should be the frie choice of the people, and who, should they attempt to enslave those they govern, would not only act most absurdly, but might reckon upon having the same voice of the people against them. The maxims by which our hereditary princes conducted themselves were sufficiently felt, to the sad experience of our forefathers. Thank

God, we were reserved for happier times. Their history will inform you of their repeated and unwearied attempts to subvert the constitution and enslave a free people. Their sacrafiezing the interest of the nation to France; their violating their oaths and promises; their persecutions, and their schemes to establish a religion which in its nature is inconsistent with the toleration of any other, tho' reasons of State may make it wink at this on particular occasions; but should I descend to particulars it would lead me beyond the limits I have prescribed myself. The present family have now reigned over us these thirty years, and tho' during so long a time they may have fallen into errors, or may have committed faults, (as what Government is without,) yett I will defy the most sanguine zealot to find in history a period equall to this, in which Scotland possessed so uninterrupted a felicity; in which liberty, civil and religious, was so universally enjoyed by all people, of whatever denomination, nay, by the open and avowed enemies of the family and constitution; or a period in which all ranks of men have been so effectually secured in their property. Have not trade, manufacture, agriculture, and the spirit of industry in our country extended themselves further during this period, and under this family, then for ages before? Has any man suffered in his liberty, life, or fortune contrary to law? Stand forth and name him if you can! Tho' the King's person, his family, his Government, and his ministers have been openly abused a thousand times in the most scurilous and reproachfull terms, could it ever provoke him to one arbitrary act, or to violat those laws which he had made the rule of his Government? Look into the reigns of the James's and the Charles's and tell me whether these divine and hereditary princes were guided by the same spirit of mildness and forgiveness. I am sensible how often and how many destructive designs have been imputed to the prince upon the throne and his ministers; of the cry raised against standing armys; of the complaints of corruption; long Parliaments; and Hanoverian interest pursued in opposition to that of Brittan; but I am allso sensible ther is not a true friend to liberty, a dispassionat and sober man, but who (now the mask is laid aside) perceives they were at bottom the artifices and popular pretences of men struggling to force themselves into power, or those who in the dark were aiming the destruction of our happy constitution. Men endowed with popular talents, of figure and fortune in the world, and with the advantages of apparent disinterestedness on their side, will

allways have address enough, with a seeming plausability, to pervert every act of Government at home, and to defame and run down every publick transaction abroad, and disciples will never be wanting of capacitys and passions fitted, to become the dupes of such false apostles. The corruption complained of is but too universal, and it's to be feared too deep rooted to be cured; it is the constant attendant of peace and wea[l]th; and such is the depravity of our natures, that these blissings can not be enjoyed without having this plague, the most sordid and detestable of all vices, accompanying them. But if it is in our Government, it is also in the people; and change your kings and ministers as often as you please, whoever is in possession, or whoever is in quest of power, will allways lay hold of the vices, the follys, and the prejudices of mankind, to exclude others from it, or to acquire it to themselves. It's to be hoped most people now perceive with what views they were taught to exclaim against and oppose a standing body of native and free born troops; but it is to be lamented their eyes were reserved to be opened only by the greatest of all publick calamities.

325. WILLIAM CRAIK of Arbigland to [WM. MAXWELL of Nithsdale.]—Copy.

[1746.]

MY LORD,—I am sincerely and deeply touched with your Lordship's situation, and can honestly assure you it would give me a real satisfaction could I any how contribut to save you on this unhappy occasion. As you have done me the honour to ask my opinion how you are to conduct yourself, and as the doctor has informed me of the circumstances of your journey, I should but ill deserve the character of humanity and good nature you are pleased to give me, if I did not with freedom and candour lay before you what, after having this day fully considered it, appears to me most for your honour and the safty and preservation of your life and family.

It is certain the Habeas Corpus Act is suspended, and I doubt not but as soon as the lenth you have gone and your being returned is known above, warrants will be issued to carrie you up to London. If you retire out of the kingdom, it will not prevent your being attainted, and I am affraid the unfortunat step you have made will putt your estate but too much within the reach

of the law, and your family is undone. If you stay till you are apprehended, not only your estate but your person is in the mercy of the Government, and how far severitys on this occasion may be carried is not for me to prescribe. Only I am apprehensive your religion, quality, and estate will make you but too obnoxious to the Government; and, when the affair is over, informers will not be wanting to furnish them with materialls. Wee are not ignorant what arts and industry have been imployed to draw you out of the retirement and quiet you were well disposed to remain in. Wee are sensible you were imposed upon by those already embarked; and it will acquit you before God, and every sober man, if you no longer keep measures with those who have deceived you in a matter of such moment, where your life and fortune were at stake. My Lord, I have impartially laid before you your case as the present circumstances you are in, as far as my abilitys enable me to judge, that you may have it under your Lordship's consideration. I shall next take the freedom to suggest what to me appears the safest and most prudent part now left you to act, and which I likeways submit to your Lordship's own judgement without taking upon me to decide. What I mean is this, that your Lordship should, without loss of time, surrender your person to the Governor of Carlisle, and acquaint him you came to throw yourself upon the clemency of the Government; at the same time, your Lordship would, by express, have some proper friend at London advised of your intention, and one of some weight and interest, and who was fitt to putt your conduct in the most favourable light. You will easily perceive that this confidence in the Government, and voluntary surrendry of your person, and your preventing all others in an early repentance, must distinguish you, in the eye of the Government, from every other person who has embarked, and entitle you to its favour and protection; whereas if you wait till you are apprehended, or leave the kingdom, your case, tho' quite different, will be ranked with those who have gone the greatest lenth. If your Lordship approve of this, if you think proper to lett me know by a line tomorrow, I shall not fail to be in town on Tuesday; and as I have a friend at London who I know is verrie capable, and well disposed to serve you, if it be agreeable to you, shall, with the doctor, concert the letter proper to be sent.

326. MRS. KATHERINE WALKINSHAW to MARY COUNTESS OF TRAQUAIR.

Hatton, November 9 [1745 ?]

DEAR MADAM,—I hope this shall find your Ladyship still in toun, as I really think it would be dangerous for you to go to the country for some litle time. What we talk'd of at parteing gawe me the outmost concern, and it is with pleasure I can now assure you of what both of us belived of our friend, and thought imposible it could be otherways. I wish I had known then facts that I now know, I could easiely have convinced you to a demonstration. I have been quite impatient to let you know this, that you may do justice to a caracter the most oposite to what had been told you of any on earth. I most oun it is cruel and unchristian to attack people in that way, who are doeing all in there power, and risking every thing. A litle time will, I hope, show hou unjust they are in there sensure, but it's hard to meet with it so undeservedly. I can write you no perticulares, but your Ladyship may depend on what I tell you. My friend[s] knows knothing of the story, nor shall from me, as I am sure it would make them very unhappie. Please make my complements in the kindest manner to the young ladys, and belive me, dear madam,

Your Ladyship's most humble servant,

KA: WALKINSHAW.

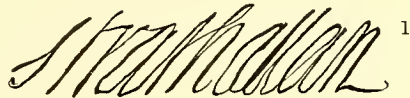
To the right honourable the Countess of Traquer.

327. WILLIAM FOURTH VISCOUNT OF STRATHALLAN to [MARY COUNTESS OF TRAQUAIR.]

Perth, November 26, 1745.

MADAM,—I'm sure it will be agreeable to your Ladyship to know by this that Lord John Drummond landed at Montross, the 25th, with a number of French. His Lordship expects more to land dayly. I beg your Ladyship will direct the bearer the safest way he can come at the Prince's army, he having a letter to deliver to the Secretary. I am, madam,

Your Ladyship's most humble servant,



¹ He fell a victim to his zeal at Culloden, in 1746. He married, in 1712, Margaret, eldest daughter of Margaret Baroness Nairn and Lord William Murray, Lord Nairn.

328. CATHERINE [COUNTESS OF] NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

Terregles, the 26 December [1745.]

MADAM,—I doubt not but your Ladyship would be much surprised to hear of the good company¹ we have lately had in this part of the world, and I'm sorry to say that neither our town nor country deserved so great an honour. Your Ladyship need not be alarmed at their sudden return, which will certainly afford various speculations, but one thing I can assure your Ladyship of, that all our friends are in top spirits, and, thank God, in perfect health, and still seems sure of the grand affair coming soon to a happy conclusion. The long experience I have had of your Ladyship's goodness, and as I know you are a most affectionate and tender hearted mother, I therefore presume to give you this trouble to acquaint you that I am at present but in a very dissimilar situation, and I may say with truth, in a melancholy condition, the particulars of which I can not commit to paper. All I can say is, that I wish to God I were so happy as to be again with you; and to be a little more plain, I don't think myself quite safe in staying here, so if your Ladyship will be so good as to accept of me back again to Traquair, till the madness in this country is a little abated, it will be a great comfort to me, and an obligation I shall ever own with gratitude, and will take it as a singular favor if your Ladyship will allow Mr. MackIver to come here the beginning of the next week, and if he can get a good horse, either to hire or borrow, for riding double, I shall be extremely obliged to him, for my chaise and horses are all gone just now, and besides, I would choose to travel incog. Mr. Robison will give you accounts of my poor Lord; and for the grief and concern he has cost me at this time is more than I am able to express. God pity and support me. I have been ill this several days past, and there's now no grounds for what your Ladyship suspected, so I beg with the greatest earnestness you'll send for me, which will really be doing an act of charity; for were I to stay much longer here just now, I'm sure I would lose my health, and I believe break my

¹ "Good company." No doubt this refers to Prince Charles Edward, who, after his unfortunate expedition to England, slept one night in Dumfries on his return to Scotland. There is a wainscotted room in the Commercial Hotel in Dumfries, which is still called "the Prince's Room."

heart. As to all the particulars of the news, I refer your Ladyship to the bearer. I beg leave to offer my kind compliments to my sisters, and I pray God grant your Ladyship and them a good and happie new year, and many more, shall be the constant prayer of her who is, with great respect and sincerity, my dearest mother,

Your Ladyship's most obedient and dutiful daughter, and
faithful humble servant,



I hope your Ladyship will pardon this long confused letter, which pray burn.

329. THE HONOURABLE ELEANOR MURRAY¹ to [MARY COUNTESS OF TRAQUAIR.]

Haw[ick ?] 19 May 1746.

MADAM,—I return your Ladyship thanks for being so good as to inquire after Philiphaugh. He came home on Saturday night pretty late, and very unexpectedly. He took post horses for his shaise, so that he made the journey in about nine days. He is fatigued a little, else he and I would have waited on your Ladyship with the agreeable news of his having left my Lord² in a good way, with a fair lady to take care of him. His Lordship did him the honour to introduce him to his lady. I beg leave, my dear madam, to wish you joy (in the most sincere manner I am capable) of a daughter who, from the good character she has in the world, and the agreeable way she seems to be mistress of, cannot fail of making a man happy, a comfort to your Ladyship, and a blessing to your family, the prosperity of which, I am sure, none can have more at heart than I. Your Ladyship will be so good as make my compliments to all the young ladies, and believe that the friendship your Ladyship has been so good

¹ The Honourable Eleanor Murray, eldest daughter of Lord Basil Hamilton, married John Murray of Philiphaugh, in the county of Selkirk, in 1711. She died at Edinburgh, 1783.

² "My Lord." Charles fifth Earl of Traquair, who succeeded his father, 1741, and died at Edinburgh, April 1764. He married Theresa Conyers, daughter of Sir Baldwin Conyers of Horden, Baronet. She is the fair lady alluded to in this letter.

[as] to honour me with shall ever be remmember'd in the most graitfull manner by, madam,

Your Ladyship's most affectionate and faithfull humble servant,

ELEANOR MURRAY.

330. CATHARINE [COUNTESS OF] NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

Terregles, the 20 May 1746.

MADAM,—I have had so many proofs of your Ladyship's goodness and kindness while I had the honour and happiness of being with you, that I could not hinder myself from giving you the trouble of this to return my humble thanks and gratefull acknowledgments for them, and, at the same time, to let your Ladyship know that I got safe home on Thursday's evening, and, thank God, without the least accident; but had I comed by Dumfries I am told there was a mob prepared for my reception; however, I disapointed them, and am still without dread or fear, my own person being the least of my concerns at present. I only wish from my heart all our worthy good friends were as safe and well. We have a great noise here about the Brest Fleet and a fight at sea. God grant it may be true, and give a happie end to this miserable troubles. There is this day a great rendavous amongst the W—gs, so our friend Munchess does not think it proper Mr. Robison should come as yet, but about a fortnight hence I hope he may venture, if nothing else that's exterordinaire happens. My Lord¹ offers your Ladyship his most humble duty. His looks are pretty good, tho' he still complains heavily of the pain in his stomach. We both join in our kindest compliments to my sisters. I give your Ladyship the trouble of the enclosed, which please give to Mr. Irvin. My brother² is, for certain, married some months ago. Sir John Douglass says she is a very pretty, agreeable lady, and she is longing much to be in Scotland, so I heartily wish your Ladyship much joy, and hope you'll be happie in a good daughter, which I'm surc she'll be in a mother; her sister comes amongst with her. I beg your Ladyship will do us the honor of a visit this summer, which would be a great comfort to both my Lord and me, and pray bring the twine sisters³ amongst with

¹ "My Lord." Lord Nithsdale seems then to have been quietly residing at Terregles.

² "My brother." Charles fifth Earl of Traquair.

³ The ladies Margaret and Barbara Stuarts, daughters of the fourth Earl of Traquair.



CHARLES FIFTH EARL OF TRAQUAIR
ELDEST SON OF 4TH EARL & LADY MARY MAXWELL.



JOHN SIXTH EARL OF TRAQUAIR,
SECOND SON OF THE 4TH EARL & LADY MARY MAXWELL.

you, which will be an additionall pleasure to her who begs your blessing, and is with the greatest affection and profound respect, my dearest mother,

Your Ladyship's most dutyfull child and obedient humble servant, while

Catharine Nithsdale

331. CHARLES FIFTH EARL OF TRAQUAIR to [MARY COUNTESS OF TRAQUAIR.]

Great Stoughton, in Huntingtongshire, iith July 1746.

MADAM,—As my sisters may have had very sufficient reasons for not writting to me these several months, I shall not therefore rashly condemn them, yet must still regret that silence which deprives my having any immediate accounts of your Ladiship and our family at home, tho' really I have been lucky enough to be often inform'd of both by other hands. I own, indeed, that nothing can be so discouraging to an open, frank correspondence as the frequent groundless suspicions which attend even the most innocent letters; for that reason, I have been extreamly backward in writting to Scotland, and find that all my friends there treat me in the same manner. Since I have once mention'd our poor country, I cannot forbear lamenting its present miserable situation, which every Scotsman must feel; but I shall say no more upon so melancholy a subject, praying God of His infinite mercy to grant us more favourable times. As the bearer, Mr. Ch. Smith, will probably wait on you himself, who is capable to satisfie all your Ladiship's demands, I shall only take the liberty of giving a few lines with some short account of myself. Having long ago obtain'd your consent, I must then tell you, madam, that I have been married some months; but as the present times do not justifie publick marriages, hoping for better, I kept it still a secret, till it was entirely discover'd by my illness; for her tender concern wou'd not allow her to stirr from my bedside all the while I was ill; then we were obliged to take on our publick character. She has been since indisposed herself of the same disease, which was a fever of cold; both of us now (thanks to God) are pretty well, only I am plagu'd with a rheumatick pain in my shoulder, which sticks by me in spight of all prescriptions, so that patience is my sole remedy. As to her

general charaeter, I dare appeal to the world ; as to my partieular, she makes a very affectionate wife, and am eonfident will prove no less dutifull daughter to your Ladiship ; in short, we are so far happy as [to] be equally well pleased with one another. She wrote you a letter some considerable time ago, and now presumes upon giving a seeond. We left London upon Tuesday last, and eame here that evening, which was pretty expeditious, being a journey of sixty miles. How long our stay here is yet undetermin'd ; both of us were equally fond of going to Seotland, but now every thing there easts up in a most melancholy prospeet. I am sorry to find that William M'Iver¹ still remains a prisoner ; I imagin'd myself to have fallen upon the way of getting him released before now, and I still hope to gett it done. My affairs must certainly suffer from his eonfinement, tho' I dont doubt but your Ladiship still prevents their going into greater eonfusion ; yet I am sensible how diffieult it must be at present to settle affairs till the times are more settled. I do not expeet that your Ladi-ship shou'd give yourself the trouble of writting, but beg that you wou'd impose that offiee upon Baby,² who used formerly to make a very good eorre-spondent. I wrote a few days ago by Mr. M'Kye to Lord Nithsdale, and the night before I left town I saw Mrs. Stuart, who was just arrived, and gave me accounts of my friends at Fairntoun and St. Andrews. Her husband says that poor Kirky died at sea, but some where near shore, so that he was deently burried. Oh ! dear madam ! what havoeck this unfortunate affair has made amongst the number of my aequaintanees. I beg your Ladiship wou'd eneourage James Bayne in any improvements about doors ; for money laid out that way is the least to be grudged, since when I return to Seotland I can propose but little other satisfaetion than staying elose at home. I design to write by this oeeasion both to him and William M'Iver. I used to see Mrs. Lieth frequently, and am told that Mr. Lesly is upon the road eoming up. I presume to trouble your Ladiship with an offer of my affectionate humble serviee to my sisters at home. I hear sister Luey has taken up her habitation in Edinburgh, but I hope not so as to make her entirely abandon Traquair. I shall only add the assurances of my eonstant respekt and filial

¹ Mr. M'Iver, an attached and confidential agent of the family. He seems to have been imprisoned for his share in the late rising, but probably on suspicion only.

² Baby, *i.e.*, Lady Barbara Stuart.

affection for your Ladiship, since there is no character I covet more than that of being, madam,

Your Ladiship's most obedient and most dutifull son.

When any of my sisters write, they may continue my usual direction, at Mr. Allam, upholsterer, in Great Maddox Street, near Hanover Square, London.

332. NORMAN M'LEOD to MR. M'DONALD of Kingsburgh.—Copy.

1746.

HIS Royal Highness the Duke has now certain information of the young P—r's skulking in the Long Island. You know the danger of protecting or aiding him by any of our friends. I warned my people of it, and every body knows the reward of puting the law in execution. I am perswaded he'll pay you a viset in expectation of your protection. It will be then in your power (I hope you'll use it,) to aggrandise your family beyond many in Scotland. I would not enlarge on this. I know Sir Alexander's writing to you would have greater weight with you than any thing I can say, which he will probably doe. But be assured his sentiments and mine are the same on this head. You know your reward, and I hope you will doe your duty to yourself, family, and country.—I am, etc.

[*Dorso*].—A letter from Normand M'Leod, Esq., to Mr. M'Donald of Kingsburgh.

333. LEWIS DRUMMOND of Melfort to [MARY COUNTESS OF TRAQUAIR.]

Penrith, November the 5th, 1746.

MADAM,—Tho' I have not the honour to be known to your Ladyship, the concern you express'd for me, and the singular attention you shew'd in sending to my Lord John Drumond to inquire about me, obliges me to return you a great many thanks for your kindness. I hope that your Ladyship is fully convinc'd that no body is more sensible than I to your civilities. I wishe that my situation and time could procure me an occasion to give your Ladyship

undoubtfull proofs of my gratitude and acknowledgment; in the mean time I have the honour to be, with all possible respect, madam,

Your most humble and obedient servant,

*L. Drummond of Melton*¹

334. The Honourable BARBARA JOHNSTONE² to MARY COUNTESS OF TRAQUAIR.

Wasterhall, April 18, [1746.]

DEAR MADAM,—Our moutual grief has so near a resemblance, that I hope it will be sufficient apologie for troubling you with my letter, and as it's meant well, I'm sure it will be kindly received by your Ladyship. The first thing I begin with is to asure you the base story put in the prints was altogether a forgery. My spous (who never wrot it) has asured me this day no mortal believes my frind L. T. ever said a word unbecoming the honnour I alwise had for him, so begs me be easie. He says he was examined in the Cock Pit, and S. J. D. in the Touer, upon the foarth, and one may be convinced they have said nothing unbecoming, since no more are taken up. I have likewise been inform'd that both Lord Traquair and our good frind S. J. have been more closely kept since Murray began to accuse, at least I can asure your Ladyship ther's no libarty of eather writing or conversation permeted to poor S. J. ; and it's about two mounths since the advocat's man came to Carlile, and got admetance to the Prince's butler, and offer'd him two thousand pd. and hes remision (for a man under sentance can not bear evidance till he gets a remision,) to swear against S. J. D. and Lord T—r. But he refused, and said he never knew any thing of ther connection with the Prince. Now this seems a proof that my Lord was not ther man, but I'm fully perswaded the report has come from some malicious wretch. I trust in God my Lord will be spair'd in spit of them, without needing to do a wrong thing ; and I'm fully convenced nothing will ever lead hem to do or say anything unworthy of a noble mind. My spous says it's said ther's no more tryals to be, but yet the scaffolding in Westminster

¹ Lewis Drummond, son of Andrew, fourth son of John Duke of Perth.

² Honourable Barbara Murray, daughter of Alexander fourth Lord Elibank, married, in 1719, Sir James Johnstone of Westerhall, in the county of Dumfries, Baronet. She died at Westerhall in March 1773.

Aby is not taken down. But, dear madam, ther is a bounds put to the devel and rageing sea ; I own them worse and more crule then both, but yet ther wickedness has its apointed bounds. This slaughter at poor Lovet's death may awaken the minds of the pepel ; the barbarous Duke may get a check. God can disapoint ther malice a thousand ways. I trust to Him for relife, who often makes the most dismal times of our life the time of His most immediat aid. I hope your Ladyship will be suported under this, for your pairt of thes is a grief to all that knows you. Oh ! I'm in pain for sweat Lady Nidsdail ! Lord grant she may not suffer by it. I ventur'd to keep the berear, as I had wrot for a peremptory answeare about that story of my Lord, and I thought you'd confid as much in his as ane other. Ther came a letter from Maxwell, member for Galowa or Kirkubragh, saying my Lord had made a clean breast, and so certen mesangers ware dispatch'd from Court ; but it's all lies nor is ther a man siz'd yet ; so I hope your Ladyship will not alow your self to be soon alarm'd, for amongst all the other miserys we have to suffer, that of being the sport of vilans is a very great one. I offer the most undisembeld love to the young ladys, and am, dear madam,

Your Ladyship's most obedient and most humble servant,

BABIE JOHNSTONE.

My daughter is safe with my Lord. God only knows what she had to suffer eir she got of.

To the right honourable the Countess of Traquair, at Traquair.

335. LORD JOHN DRUMMOND to [MARY COUNTESS OF TRAQUAIR.]

Fairntown, 20th October 1747.

MADAME,—The loss of my nephews, the two Dukes of Perth,¹ within less than

¹ The two Dukes of Perth here alluded to are James Drummond, who, on the death of his father, assumed the title of Duke of Perth. He escaped after the fatal battle of Culloden, but, worn out by fatigue, only to die on his passage to France, in May 1746. He had just completed his 33d year. On his death, his brother John assumed the title. He served in Flanders, under Marshal Saxe, but died of fever after the siege of Bergen op Zoom in 1747. On the death of these two Dukes, Lord John Drummond, the writer of this letter, assumed the title of Duke of Perth. He married, for his second wife, Lady Mary Stuart, third daughter of Charles fourth Earl of Traquair, but had no issue by her. He died in 1757, and his Duchess in 1775.

a year and an half is so great a misfortune to our family, becaus it is irreparable, that I have not words to express the concerne I am in for it. I thought it nevertheless my dutie to acquaint your Ladyship with the last of them having departed this life at Antwerp, the 28th of September last, new stile, after the taking of Bergopsom, at which he was, and fell ill of a feaver thereafter, of which he died. I should be comfortless if it were not for the hope I have of their having been called out of this miserable world to eternal happiness, but least human failures may detain them from it for the purifying their souls for a time, which may be shortened by the prayers of the faithfull, I hope yours and these of your family will be usefull to them if wanted. I shall say no more upon so melancholie a subject, but the weight that it lays upon me, for which, by my age and infirmitys I am unfit to bear, gives me great concerne. My wife and I beg your Ladyship's blessing, and we offer at the same time to you our most dutifull respects, with our most kind humble compliments to the ladys your daughters, so shall beg leave to subscribe myself, madam,

Your Ladyship's most humble and most obedient son and servant,

JOHN DRUMMOND.

336. CATHARINE [COUNTESS OF] NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

Terregles, the 12 Mareh 1749.

DEAR MADAM,—As both my duty and enelination makes me take every thing concerning your Ladyship's affairs much to heart, so I return you my gratefull thanks for the honour you did me in writting to let me know what was proposed for your place of residence ; but I must franckly own that I am not at all sorry at the disapointment of Kings Cramond, [which Mr. MacIver tells me of in his letter,] which gives me still some hopes that Comlongen may yet be the place. And every body that I have spoke to upon the subject approves so much of it, and insists that it's both a cheap and convenient part for living in ; so, if your Ladyship is not yet engaged any where, I only beg you wou'd delay it till Mr. Hay comes here, (which I hope now will be very soon,) and as he knows what other places are propos'd to your Ladyship, so he will be the best judge, for I would not push self love so fare as to wish your coming to this cuntry for my

satisfaction, if I did not think it were in every respect most convenient for your family. As to Sussy MacIver, I gave her, according to your orders, all necessary instructions ; and as she has both sense and good humour, and seems willing to do every thing that lys in her power to serve your Ladyship, so I hope she will please very well ; and I wish poor Mrs. Lauder may get a right place. I am sorry Nelly Bean is to leave your service, for I think her a good honest creature, and had I known it before I was provided, I believe might have taken her ; but as I got a new chamber maid only last terme, a neice of poor Sir Archibald Primrose's, and has done very well as yet, I cannot think of parting with her. I heartily congratulate to your Ladyship upon my brother's being now at full freedome, and safely deliver'd from the hands of his enemys, and am sorry to hear his Lady still continues so tender. I shall, please God, write to her very soon, and owns myself much to blame for being so long of doing it. However, I do assure your Ladyship I never got but one letter from her, for it would have been a double fault if I had received two without giving an answer. Your Ladyship is extreamly wellcome to the bottles, and I would have sent them with the bearer, but he tells me he was forbid to take them, and Mr. M'Iver likewise writes not to send them at this time, as there was no rum just now to be bought. I have used the freedome to send you a caske of mine, which I hope you'll accept of as a small present to hansell the new house, (which I wish may be Comlongen,) tho' it be to carry bake again. My Lord and Winny offers your Ladyship their most humble duty, and he returns you a great many thanks for the corn ; he is likewise very keen for your settling in this countrey. As I would be fond to have the honour and pleasure of seeing you before you leave Traquair, so I have a project of going alongst with Mr. Hay, when he returns from this. I have not yet propos'd it to my Lord, but I hope he will not be against it. Lady Charlott offers you her kind compliments. I have left no more roum but to beg your Ladyship's blessing, and I wish you a happie Easter, and am, with great affection and respect, my dearest madam,

Your most dutifull child, etc.,

CATHARINE NITHSDALE.

Pray pardon this scribbles.

337. LORD BELLEW to WILLIAM MAXWELL of Nithsdale.

Aix La Chapelle, January the 10, 1756.

MY LORD,—The great regard I have for your Lordship is the real cause of my giving you the trouble of this letter, with an account of the intentions of your niece. My daughter is at last determined absolutely to put herself into a retired way of life ; the expences of the journey, and other things necessary for her establishment, will come to a very considerable sum of money. The proposals she makes to your Lordship are as follow :—To resign to your Lordship all reversionary right and title that she can have to your estate, in case of failure of your issue ; and also the claim she has to one half of the arrears of your mother's jointure. She understands that the arrears due at her grandmother's death amounted to £2000 ; the only consideration she desires for this is £1000. If your Lordship thinks proper to accept her offers, you will be pleased to let her know it as soon as possible, otherwise she will make a bargain with a gentleman of my acquaintance in London.

I remain, with the most respectful attachment and sincere esteem,

Your Lordship's most obedient humble servant,

BELLEW.

My respects attend my Lady Nithsdale and my Lady Wenefrid.

To the right honorable the Earl of Nithsdale.

338. CATHARINE [COUNTESS OF] NITHSDALE to [MARY COUNTESS OF TRAQUAIR.]

May 29th, [1758.]

DEAR MADAM,—I doubt not but your Ladyship has heard by this time that there is a fine English Squire at Terregles, so would guess his errand. He is second son to the late Sir Carnaby Haggerston, but is called Constable, as his grand uncle, Sir Marmaduke of that name, left him his heir to a handsome estate. He has made proposals to Winny, so I thought it my duty to acquaint your Ladyship of it. He has been here now this twelve days, and he seems to be a very sensible, well bred, pretty gentleman, and a good Roman Catholic, so hopes to have your Ladyship's approbation to the match. She was much

startled at first at his prodigious size, but now I think she seems to have got over that fault, which, indeed, is the only one can be found to his appearance, but that's certain, he's amongst the tallest men I ever saw, so your Ladyship may judge what sort of a figure they will make together, but that is not an essential matter as to happiness. I was this morning fully resolved to have wrote a line to my brother, to have acquainted him of this affair in hand, but I now find it impossible to get it done before the post go away, so if your Ladyship would be so good as to cause your Secretair let him know my intentions, it would oblige me much, for my lazy Lord he writes to nobody. He and Winny offers your Ladyship their most humble duty. As I had no letters last week from Edinburgh, I don't know where Sister Perth is, but your Ladyship may please acquaint her of the affair, and the rest of my sisters, to whom we all offer our kindest compliments. My Lord seems very well pleased with the young squire, but as ther's no termes mention'd yet, it's hard to know how they may agree, so I could wish it were kept as private as possible till then. I hope this shall find your Ladyship and my sisters all in perfect health, which I pray God may long continue ; and I beg pardon for this long confused scribble, which I wish you may be able to read, and am, with the greatest respect and affection, dearest madam,

Your most obedient child, etc.,

CATHARINE NITHSDALE.

339. JOHN SYME, W.S., Edinburgh, to WILLIAM HAGGERSTON MAXWELL
CONSTABLE of Everingham.

Edinburgh, June 29th, 1765.

SIR,—Altho' I imagine by this time you have got the melancholly accounts of good Lady Nithsdale's death on the 16th, which only came to me late last night by a letter from Mr. Robert Grant of the 18th, I could not omitt expressing the sincere grief which Mrs. Syme and I feel on this melancholly occasion, and the sympathy we have for your lady and you. I am sure it must affect my good Lord and Lady Kenmore. How vain are all our hopes and expectations. They proposed to be happy with you, and now the bitter cup of affliction must be mingled. My Lord Nithsdale's loss is irreparable. Mankind in general

must lament the good and kind Lady Nithsdale ; but to enlarge on this subject is but festering too deep a wound. I will therefore drop the melancholly subject, and pray for that consolation to your lady and you, and all who feel the invaluable loss, which only results from a resignation to the Divine will, which orders every thing for the best, and however severe the chastisement, does always intend mercy, and never corrects but with a view to mend. . . .

Your most obliged and obedient servant,

JOHN SYME.

To William Haggerstoun Constable, Esq. of Everingham, near Pocklington, by York.

340. THE HONOURABLE FRANCIS TAAFFE,¹ third son of Nicholas sixth Viscount Taaffe, to WILLIAM MAXWELL of Nithsdale.

Louvain, the 10 of January 1772.

MY LORD,—Having had the honour of contracting the ties of matrimony on the first day of this month with the Honorable Miss Bellew, I satisfy with the greater pleasure my duty in notifying unto your Lordship this event, as the uncommon respect my wife professes for you renders me infinitely desirous of obtaining the sanction of your Lordship's approbation. Although I was not fortunate enough to have the honour of being personally acquainted with your Lordship, I hope my father, the late Lord Taaffe, enjoy'd that advantage. My behaviour to my wife will, I flatter myself, shew that, besides rendering justice to her personal qualities, which alone are sufficient to make me happy, I know also the respect I owe to her illustrious connexions ; my utmost study shall be to convince your Lordship thereof, on all occasions, by the profound respect and duty with which I shall shew myself, my Lord,

Your Lordship's most humble, most obedient, and dutiful servant,

F. TAAFFE.

To the right honorable the Earl of Nithsdale, New Norfolk Street, London.

¹ He was a Lord of the Bedchamber, general in the Austrian service, and Count in the Empire. He married, in 1772, the Honourable Frances Maria, eldest daughter of John Lord Bellew. She died in 1792 without issue.

341. FATHER SIR ALEXANDER STRACHAN to WILLIAM MAXWELL
CONSTABLE of Everingham.

Kirkconnell, 17 February 1781.

HONOUR'D SIR,—I was honoured with the favor of yours with an inclosed from Mr. Blundell. I am much obliged to you for the good testimony you are pleased to give of me, tho' our friend Mr. Berrington is pleased to say in his pamphlet that the priests who travell with young gentlemen are both ignorant and self sufficient. I have written to Mr. Blundell. Whether he will accept of my proposal or not I cannot tell ; for my own part, I rather wish he would not, as I am now past the meridian of life, travelling is not what I relish much at present. However, as I always looked upon the education of young gentlemen as the most important duty of one of my calling, especially in this country, where Catholic families are the pillars that support the tottering remains of religion, I have offered to take the charge of his son, provided he chuses to settle upon me the small sum of fourty pounds sterling a year for the short remainder of my life. As our colleges and houses abroad where the aged and infirm might find a comfortable refuge are taken from us, it would be very imprudent in me, now past fifty, to relinquish a certain and comfortable maintenance, tho' without a fixed salary, and to expose myself to the danger of want and necessity when old age comes on, with all its disagreeable retinue. Lord Selkirk, I hear, Mr. Herron, and others, are called up by summons to appear before the Comittee for the Kirkcudbright clection. His Lordship is very ill pleased, as he has always been scrupulously nice about interfering in elections ; but Mr. Gordon, who no doubt is in town, will give you better account of all this. Be pleased to tell him, with my best compliments, that he has the warmest wishes of the very great majority of all ranks in this country. The great drover, Mr. Tait, being declared a bankrupt, has thrown both the gentlemen and farmers into great distress ; even the cautious Munshes is taken in for some small matter. Every body seems to express great pleasure that Campbelton is fined in £300 sterling for refusing to inroll some of Mr. Gordon's voters, he being undersheriff. We have had a very fine open winter here ; the grass is as green as I have scen it in April some other years. Sir James and Lady Riddell still at the Mains.

The two young gentlemen speak of waiting upon you at Grosvenor Place in a few days, in their way to their respective regiments. Our Dumfries news-monger, who is a great American, makes a pompous description in his paper of the rejoicings made at the Bridge end for Lord G. Gordon ; but the fact is, that only one farmer, a violent American, and a few bare legged boys gathered together by him, assembled and made a paltry bonfire on the Corbley hill, [which] belongs to you ; no person above the rank of a beggar or a cobbler's apprentice joined the band. You will have seen in the papers the death of Lord Hopeton, who was cut off by a dropsy in the breast. Nothing new in this part of the country. I beg you will please to present my best and most respectfull compliments to Lady Winifred, and Constable, and all enquiring friends : and I have the honor of being, with the most sincere regard, honour'd sir,

Your most obedient humble servant,

ALEX. STRACHAN.

Mrs. Maxwell and sons join in compliments to you and Lady Winifred. Mr. William is still in a poor way of health, on account of his making new teeth.

William Maxwell Constable, Esq., Grosvenor Place, London.

342. ALEXANDER M'DONELL and JOHN FLETCHER to [MARMADUKE CONSTABLE MAXWELL, Esq. of Everingham.]

22 March 1794,

Duke Street, No. 38 Grosvenor Square, London.

SIR,—At a meeting of the Roman Catholics held at Fort Augustus, in Scotland, the 25th ultimo, it has been resolved on—That an address should be presented to His Majesty expressive of our loyalty and attachment to his person and Government. And to convince our fellow-subjects that our professions are sincere, the meeting have determined to make offer of raising a Catholic regiment for immediate service. We have been deputed here with the offer and the address, but as the representative of the oldest noble family of the Catholic religion in Scotland, you have been thought the properest person to present the address to His Majesty. Besides, as the late repeal in favour of Scotch Catholics have been obtained principally through the interest of your family,

we all think it our duty to make this grateful acknowledgement of those favours through the same channel. Mr. Constable and Lady Winifred consented we should write you on this subject, and should you view it in the same light with us, as we hope you will, we expect you will take the trouble of coming up here as early as possible in the week, not knowing what day Secretary Dundas may fix on for presenting the address. We are, with very great respect, sir,

Your most humble servants,

ALEXR. M'DONELL.

JOHN FLETCHER.

343. JOHN MAXWELL¹ of Terraughty to CHARLES EARL OF TRAQUAIR.

Terraughty, 22 December 1800.

MY DEAR LORD,—My wife duely received yours, advising the death of your sister, Lady Mary Stuart. Lady Winifred C. Maxwell called here Saturday last, and showed me your letter to her on the same subject; requested me to present her dutiful and kindest compliments to you and Lady Louisa Stewart; bid me say that she will be very happy to see you both at Terreagles as soon as convenient for yourselves. She is considerably altered since you seed her. Mr. Stanley and his wife, Miss Haggerston, Mrs. Jinker, and another gentlewoman are now at Terreagles. When you come to this country, I hope you will be so good as to spend some days with us at the Munches. I have a great desire of seeing and being acquainted with Lady Louisa; pray grant me that pleasure. M. C. Maxwell, Esq^r. of Everingham, has taken to himself a wife, and Lady Winifred is so pleased, has given up a large part of the jointure due from his English estate, and has presented Mr. Stanley with £600 on his marriage, so they seem all very happy. The prices of all things are very high even to a degree that is truly alarming; for tho' the crops in this country this year has been good and well got in, the demand from England is great, and

¹ The writer became the heir-male of the Earls of Nithsdale on the death of William Maxwell of Nithsdale, only son of the forfeited Earl. John Maxwell was served heir-male of Robert fourth Earl of Nithsdale on 4th June 1778. He died in January 1814, at the age of 95. He purchased the estate of Terraughty, and acquired the estate of Munches through marriage of the heiress.

the prices so high as for wheat 8/ per bushel, 9/ for barley, 5/ for oats per Winchester bushel. Potatoes 5/ per cwt. Beef 6d., mutton 5d. per lb. of 16 ounces. Pork dearer than ever known in former years, and the potato crop was $\frac{1}{3}$ less produce this year than the former years; therefore the labourers and poor are reduced to great distress; to relieve them is a very serious consideration. My wife and daughter join me in offering you and Lady Louisa our most respectfull compliments, sincerely wishing you many happy and prosperous returns of this season. I am, with the truest esteem and regard, my dear Lord,

Your Lordship's most obedient and very humble servant,

John Maxwell

The right honorable the Earl of Traquair, at Traquair.

344. LADY LUCY STUART to her brother, CHARLES EIGHTH EARL OF TRAQUAIR.

[Pomona Cottage, July 9th, 1819.]

MY DEAR BROTHER,—I am truly grieved to have the painful task to inform you of the very sudden death of our truly valuable cousin, Mr. Constable Maxwell. He was on his road to Paris, where he was going to amuse his eldest daughter, in company with his brother, Mr. Middleton, and at Abbeville an apoplectick fit carried him off in a short hour. His loss will be severely felt by many; to me it is a real one; he was on all occasions ready to oblige me. His poor wife is under the hospitable roof of Sutton Place, in a state of affliction which my pen cannot give you any idea of. I am much with her; but, alas! on these sad occasions the warmest friendship can give no consolation. . . . I shall conclude, after assuring my dear brother that I am, very sincerely, his

Loving sister,

LUCY STUART.

Right honorable Earl of Traquair, Traquaire, Peebles.

345. ELIZABETH COUNTESS OF SUTHERLAND AND MARCHIONESS OF STAFFORD¹
to [MARGARET MAXWELL of Munches].

London, August 14th, 1820.

DEAR MADAM,—I received with much satisfaction from Mr. Young the valuable mark of your kind recollection of me in the copy of Lady Nithsdale's letter, which I am happy to possess, and for which I beg you to accept of my best thanks. Though I had seen part of it before, yet this copy is doubly valuable, in coming from so authentick a source; and the account contained in it is deeply interesting, and will be preserved to the lasting honor of the writer, by all who have any feeling of such an example of extraordinary ability and spirit. It is also so simply described, and in so plain a manner, that one sees in reading it that Lady Nithsdale was above the vanity that might have arisen from it, and only felt the satisfaction arising from what she had accomplished in so astonishing a manner, with the assistance of those who partook in the interest such an undertaking must have excited at the time. I have always felt much respect and regard for that family, both from those I have been acquainted with belonging to it, and from the recollection of all I have heard in my youth concerning it in former times, and I partook sincerely in the general regret that so unexpected an event as the death of Mr. Maxwell Constable occasioned. I shall omit no opportunity of cultivating my acquaintance with Mrs. M. Constable, and shall always feel interested in her and her family, who, I trust, will long continue the worthy successors of that great and important inheritance. I could not resist copying the letter you were so good as to send

¹ This lady was the only daughter and child of William eighteenth Earl of Sutherland, and spouse of George second Marquis of Stafford. On the maternal side she was a Maxwell, which explains the interest expressed in this letter for the Maxwell family. Her mother, Mary Countess of Sutherland, was the eldest daughter and co-heiress of William Maxwell of Preston, in the Stewartry of Kirkcudbright, the son of Homer Maxwell. William Maxwell married Elisabeth, daughter of William Hairstanes of Craigs, in the same Stewartry. His second daughter was Wilhelmina Maxwell, Lady Glenorchy, who built the church in Edinburgh which bears her name. Elisabeth Countess of Sutherland was born at Leven Lodge, Edinburgh, on 24th May 1765. On the death of her father in the following year, she succeeded to his estates, and ultimately to his title of honour after a keen competition, which is memorable in peerage claims from the great research bestowed by Lord Hailes in the case for the Countess.

me, for Lady Surrey, to whom I have just sent it, as she will feel the full value of it, and will, as I am, be anxious (or rather curious) to know what sort of person Lady Nithsdale was in appearance and manners, and any other circumstances respecting her and Lord Nithsdale, but those can be only known by tradition, as I see by the peerage he died at Rome in 1744, and she in 1749; and that besides the Lord Nithsdale, father of Lady Winifred Maxwell Constable, they had a daughter married to Lord Bellew. I remember hearing the late Lady Stafford talk of visiting a Lady Nithsdale at Harrowgate, who was very deaf, and who, I suppose, was one of the Traquair family, and who Lady Alva remembered seeing on horseback in the fashion of the times, with a three-cornered hat and flowing wig, but the writer of the letter must have been almost beyond their memories. I have had a great disappointment in being prevented by different circumstances from being in Scotland this year, at least I fear I shall be so, but I always entertain a hope at some future time to be able to visit Dumfries on some of my journeys there. I beg to thank you, dear madam, for your kind congratulations on Elizabeth's marriage, and to assure you of the regard with which I remain,

Your obliged and faithful servant,

J. Stafford.

[illegible]

MAXWELL AND HERRIES CHARTERS.

1. CHARTER by KING WILLIAM THE LION to the ABBEY OF CUPAR, of exemption from tolls, etc., to which Lyulph, the son of Machus, is a witness. [1165.]¹

WILLELMUS Dei gracia Rex Scottorum, episcopis, abbatibus, comitibus, baronibus, justiciariis, vicecomitibus, prepositis, ministris et omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis me dedisse, concessisse et hac carta mea confirmasse Deo et beate Marie de Cupro et monachis et fratribus ibidem Deo seruientibus et seruituris, ut liberi et quieti sint per totam terram meam ab omni tolonagio et passagiis et mercatibus et omnibus aliis consuetudinibus, et liberam potestatem habeant nendendi et emendi, per totum regnum meum, omnia quibus opus habuerint ad sustentationem et utilitatem domus sue : Quare volo et firmiter precipio ut nemo eis molestiam uel grauamen uel iniuriam super huiusmodi libertate et concessione mea inferre audeat, uel pacem meam quam plenarie eis dedi infringat, super meam plenariam forisfacturam, set eandem pacem habeant omnes grangie sue quam habet Abbacia de Cupro : Preterea uolo et precipio ut ubicunque bona ipsorum furto ablata, uel per uiolentiam detenta, uel a propriis monachis uel conuersis sine licentia asportata fuerint inuenta, balliui mei in quorum balliis ipsa bona sint eis faciant ea restitui sine disturbance : Preterea concedo eis et hac carta mea confirmo, nemo eos uel homines suos possit namare pro aliquo debito uel clameo, nisi prius eis defecerunt de iusticia in curia sua, super plenariam meam forisfacturam : Testibus Engelramo cancellario, Willelmo de Lyndesay, Johanne de Uallibus, Lyulfo filio Machus, Willelmo de Haya : Apud Jedeworth.

2. CHARTER by KING WILLIAM THE LION to WILLIAM GIFFARD, of Thelin (Tealing, afterwards the property of the Maxwells). [1195-1199.]² [Lithographed.]

WILLELMUS Dei gracia Rex Scottorum, episcopis, abbatibus, comitibus, baronibus, justiciariis, vicecomitibus, prepositis, ministris, et omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciant presentes et futuri me dedisse et concessisse, et hac carta mea confirmasse Willelmo Giffard, filio Hugonis Giffard, Thelin, per rectas diuisas suas, et cum omnibus justis pertinentiis suis, et Polgauethin, per rectas diuisas suas per quas Ferthnauh terram illam tenuit, et cum omnibus aliis ad predictam terram juste pertinentibus : Tenendas sibi et heredibus suis de

¹ From the Original Charter at Cortachie.

² From the Original Charter at Yester.

me et heredibus meis in feudo et hereditate, in bosco et plano, in terris et aquis, in pratis et pascuis, in moris et maresiis, in piscariis et scalingis, in stagnis et molendinis, et omnibus aliis ad predictas terras juste pertinentibus, cum furca et fossa, cum socca et sacca, cum tol et them, et infangenthef, ita libere et quiete, plenarie et honorifice sicut alii barones mei terras et feuda sua liberior, quicquid, plenius et honorificentius de me tenent : Faciendo de predictis terris seruicium unius militis : Testibus Reginaldo Rossensi episcopo, Comite Dunecano, iusticiario, Roberto de Quinci, Philippo de Valouis, camerario, Willelmo Cumin, Johanne de Hastings, Willelmo de Haia, Rannulpho de Soulis, Vmfrido de Berkeley, Rogero de Mortemer, Philippo de Lundin, Waltero Murdac, Rogero de la Kerlieil, Hugone clerico de sigillo, apud Munros, primo die Septembris.

3. CHARTER by KING ALEXANDER THE SECOND to WILLIAM CUMIN of the lands of Lenneth, to which John of Maccuswel is a witness. 22d September [1215].¹

ALEXANDER Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciant presentes et futuri me concessisse et hac carta mea confirmasse Willelmo Cumin totam terram illam de Lenneth, quam dominus Rex Willelmus pater meus in manu sua tenuit die qua ei eam dedit per easdem diuisas, et cum omnibus illis pertinenciis suis cum quibus eam predictus domini Rex Willelmus pater meus in manu sua tenuit quando eam ei dedit : Teneudam sibi et heredibus suis de me et heredibus meis, in feudo et hereditate, in bosco et plano, in terris et aquis, in pratis et pascuis, in moris et maresiis, in uis et semitis, in stagnis et molendinis, et omnibus aliis ad predictam terram iuste pertinentibus, cum socco et sacca, cum furca et fossa, cum tol et them, et infangenethef, libere et quiete, plenarie et honorifice, per seruitium unius militis, sicut carta domini Regis Willelmi predicto Willelmo Cumin inde facta testatur : Testibus Willelmo episcopo Sancti Andree, Willelmo de Boscho cancellario, Thoma comite Atholie, Waltero filio Alani Senescalli, Roberto de Londonia, fratre meo, Henrico de Bailliol, Johanne de Haya, Johanne de Maccuswel, Galfrido filio Ricardi, apud Edenburchum, xxii die Septembris.

[A very small fragment of the seal in green wax remains.]

4. CHARTER by KING ALEXANDER THE SECOND to M., sometime THEIN OF CALENTYR, of certain lands, in excambion for lands in Nithsdale, in which JOHN OF MACCUSWEL, Chamberlain, is mentioned. 30th June [1233].² [Lithographed.]

ALEXANDER Dei gracia Rex Scottorum, omibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciant presentes et futuri nos dedisse, concessisse, et hac carta nostra confirmasse M. quondam Theino de Calentyr in excambium tocius terre que fuit Edgari filii Doueualdi, et Affrice filie dicti Edgari, in valle de Nyth, et pro quieta clamatione tocius clamii et iuris quod ipse et heredes sui habuerunt uel habere potuerunt in predicta terra ; et similiter pro quieta clamatione tocius iuris quod habuerunt uel habere potuerunt in terra de Calentyr, totam illam terram quam A. abbas de Melros et Walterus Olifard, iusticiarius Laodonie, et I. de Maccuswel, camerarius, et alii probi homines nostri eidem M. ex precepto nostro tradiderunt : Tenendam et habendam dicto M. et

¹ From the Original, Charter at Cumbernauld.

² From the Original, in possession of William Fraser.

[illegible]

heredibus suis, de nobis et heredibus nostris, in feodo et hereditate, per easdem diuisas per quas dicti A. abbas et W. Olifard et I. de Maccuswel et alii probi homines nostri eidem M. ex precepto nostro tradiderunt, in bosco et plano, in terris et aquis, in pratis et pascuis, in moris et maresiis, in stagnis et molendinis cum socco et sacca, cum furca et fossa, cum tol et them et infangandthef, et cum omibus aliis iustis pertinentiis suis, libere, quiete, plenarie et honorifice, per seruicium vnius militis. Idem etiam M. Theinus nobis reddidit cartas quas ipse et antecessores sui de predictis terris habuerunt : Et si que de dictis terris confecte per obliuionem retente fuerint, in posterum penitus iuribus careant : Testibus A. episcopo Morauie, G. episcopo Kataunensi, W. electo Glasguensi cancellario, W. filio Alani senescallo, iusticiario Scocie, Laurentio de Abbirithine, Waltero Cumyne, H. de Striueline filio comitis, Radulfo de Campano : Apud Schonam, vltimo die Iunii, anno regni domini Regis nonodecimo.

5. CHARTER by KING ALEXANDER THE SECOND, granting Innerlunane to ANSELMO OF CAMELYNE, in excambion for Bridburgh in Nithsdale. 7th July [1247].¹

ALEXANDER Dei gracia Rex Scottorum, omnibus probis hominibus tocus terre sue, salutem : Sciant presentes et futuri nos, in escambium terre de Bridburgh in valle de Nith quam prius dederamus Anselmo de Camelyne pro homagio et seruicio suo, dedisse, concessisse et hac carta confirmasse eidem Anselmo terram nostram de Iunirlunane, per easdem rectas diuisas per quas Gilbertus Longus firmarius uoster eam die huius collacionis de nobis tenuit ; saluis elemosinis nostris, et salua Marie, que fuit vxor quondam Nigelli de Ymire, in vita sua, terra quam ipsa tenet nomine dotalicii, infra dictam terram de Innirlunaue : Tenendam et habendam eidem Anselmo et heredibus suis, de nobis et heredibus uostris, in feodo et hereditate, per diuisas supradictas, et cum omnibus iustis pertineniis suis in boscho et plano, in terris et aquis, in pratis et pascuis, in moris et maresiis, in stagnis et molendinis, cum socco et sacca, cum furca et fossa, cum thol et them, et infangandthef et cum omnibus aliis ad eandem terram iuste pertinentibus, libere, quiete, plenarie et honorifice : Faciendo nobis et heredibus nostris medietatem seruicii vnius militis et [ad] exercitum Scoticanum quantum pertinet ad tautam terram, et reddendo nobis annuatim quamdiu dicta Maria dictam dotem suam tenuerit decem libras sterlingorum, et post eius obitum quolibet auno duodecim libras, medietatem, scilicet, ad Pentecosten et aliam medietatem ad festum Saucti Martini : Testibus Willelmo comite de Marr, Alauo Hostiario, iusticiario Scocie, Willelmo de Ros, Roberto de Monte Alto, Willelmo de Huchtirhus : Apud Forfare, septimo die Iulii, anno regni domini regis tricesimo tercio.

6. CHARTER OF CONFIRMATION by KING ALEXANDER THE THIRD in favour of MALCOLM, son of Duncan, and EUE, sister of the Earl of Leuenax, to which EYMER OF MACUSUELLE is a witness. 30th April [1251].² [Lithographed.]

ALEXANDER Dei gracia Rex Scottorum, omnibus probis hominibus tocus terre sue, salutem : Sciatis nos concessisse et hac carta nostra confirmasse donacionem illam quam Maldouenus comes de Leuenax fecit Malcolmno filio Duncani et Eue sorori ipsius comitis, de terris de Glaskhel, Brengoenis, et de vna carucata terre et dimidia de Kelnasydhe, cum donacione ecclesie de Moniabrood : Tenendas

¹ From the Original Charter at Ethie.

² From the Original, in possession of William Fraser.

et habendas dictis Malcolmo et Eue et eorum heredibus, de predicto eomite et heredibus suis, in feodo et hereditate, per suas rectas diuicias, et eum omnibus iustis pertinenciis suis, libertatibus et asiamentis ad dictas terras et ecclesiam pertinentibus, adeo libere, quiete, plenarie et honorifice sicut carta dicti comitis predictis Malcolmo et Eue exinde confecta plenius iuste testatur; saluo seruicio nostro: Testibus Alexandro Senescallo, Waltero Bysethe, Eymero de Macusuuelle, Johanne de Vallibus, et Willelmo de Hawdene: Apud Rokisburcht, tricesimo die Aprilis, auno regni domini Regis secundo.

7. RESIGNATION by JOHN OF PENCATELANDE to HERBERT OF MACKESWELLE, of the land of Pencatelande, with the patronage of the church of Pencatelande. 18th May 1276. [Lithographed.]

OMNIBUS hoc scriptum visuris vel audituris, Johannes de Peucateland, salutem eternam in Domino: Nouerit vniuersitas vestra me resignasse, concessisse, et hoc scripto meo omnino quietumelammasse Herberto de Mackeswelle et heredibus suis vel suis assignatis et eorum heredibus inperpetuum, die lune proxima post Ascencionem Domini anno gracie m^occ^o septuagesimo sexto, coram domino Hugone de Berkelay tunc temporis iusticiario Laudonie, in plena curia apud Castrum Puellarum, coram multis probis hominibus, quicquid iuris habui vel habere potui in terra de Pencatelande ex occidentali parte aque de Tyne, sine aliquo retenemento: quamquidem terram Wilelmus de Duglas, Johannes de Lambertoun, Ricardus de Bigirtoun, milites, missi a domino Rege ad exteutam dicte terre faciendam, per fideles patrie fecerunt extendi, vna cum orto antique domiue, et le Gollikroc, et le Horseparrokys, et le Fuylstrother, et le Coteyarde, et le Vyuere, et cum omnibus aliis rebus in quibus ius pecii vel petere potui vltra exteutam iu dicta terra factam; exceptis tamen bosco del Suth syde, et bosco quod dominus Alauus de Ormestoun de me in vita sua tenet, quod ad me et ad heredes meos post eius decessum reuertetur: excepto eciam le Ruthirkroc pro quo ego et heredes mei dicto Herberto de Mackeswelle et heredibus suis vel suis assignatis, et heredibus eorum, vnam libram cymini annuatim nomine firme persoluemus; et exceptis octo solidis de warda castelli michi et heredibus meis annuatim reddendis. Preterea, resigno, concedo, et hoc scripto meo omnino quietumelamo, pro me et heredibus meis, Herberto de Mackeswelle et heredibus suis vel suis assignatis, et heredibus eorum, quicquid iuris habui vel habere potui in aduocatione ecclesie de Pencatelande cum suis pertuenciis; ita uero quod nec ego nec heredes mei seu aliqui nomiue meo vel ex parte mea vel heredum meorum contra aliquem a dicto Herberto et heredibus suis vel suis assignatis et eorum heredibus ad predictam ecclesiam aliquo tempore presentatum vel presentandum obicere valeamus, quod dicta ecclesia in fundo meo sita sit: Volo eciam et concedo quod nec ista excepcio nec aliqua alia excepcio siue ratio vel eciam aliqua impetracio a curia Romana vel ab aliqua alia curia michi vel heredibus meis aliquo tempore vel aliquo modo valeat vel valere possit contra dictum Herbertum et heredes suos vel suos assignatos et eorum heredes, vel eciam contra aliquem ad dictam ecclesiam per ipsos aliquo tempore presentatum vel presentandum: ista vero omnia et singula que superius dicta sunt, volo, concedo et omnino quietum clamo, et hoc scripto meo confirmo, pro me et heredibus meis, dicto Herberto et heredibus suis vel suis assignatis et eorum heredibus, nullo proponendo obstante. In cuius rei testimonium et perpetuam firmitatem huic scripto sigillum meum apposui: Hiis testibus, Johanne Cumyn filio, Johanne de Lyndesay, Ricardo Fraser, Johanne de Lambertoun, Waltero de Lyndesay, domino de Poristoun, militibus, Wilelmo de Lyndesay, Radulpho de Eyclyn, et aliis: Quia vero sigillum meum non multum anti-

Al^o etiam Rex cont^r omibz p^obis hominibz tot^o t^ore sue salut^{is}. Ead^eis nos conce^{ss}it et h^{ec} carta n^{ra} confirmasse
donationem illam q^{uam} galduen^{sis} comes de leuenday fecit galcolmo filio duncan et eue uxori suus comit^{is} de t^ore
de claff^{ord}. Breugoch et de sua caritata t^ore et dimidia de belnasshe cu^m donatione ecc^{lesie} de gomahord. De
uend^{is} et habend^{is} s^{an}c^te galcolmo et eue et eor^{um} heredibz de p^ote comite et heredibz suis in feodo et h^{ereditate} p^{er} suis t^{er}ris
diuisis et cu^m omibz iustis p^{re}missis suis lib^{er}itatibz et p^{re}missis ad s^{an}c^tas t^{er}ras et eccl^{iam} p^{re}missis. Al^o h^{ec} quere.
plenarie et honorifice. sicut carta dei comit^{is} p^{re}dict^{is} galcolmi et eue exinde const^{at} plen^{it} iuste testat^{ur}. Galus
iuro n^{ro}. Gest^o Al^o genescall. Walter^{us} Byseth. G^{er}mo de g^{ra}nt^{is}fuell^{is} s^{er}be de Wall^{is} et Will^{elm} de W^{al}den
apud Bob^{ur}ne. Graciano die April^{is}. Anno Regni n^{ost}ri Reg^{is} Ed^{wardi}.

Om̃ibz hoc sēptum cū sup̃is et audiat̃is sōtes de pencateland salūā etiam
de mackeswell et hēdibz suis et suis assignatis et eoz hēdibz in p̃sentū die hūc p̃sentū
ap̃ro landonū in plena curia ap̃d cast̃m puellaz corā multis p̃bis hoibz q̃cōd ius
q̃dem t̃p̃a Will̃s de duglas sōtes de landon Bricardus de brigton milites mis̃
h̃oc et le hoz sepap̃p̃oys et le fuyst̃p̃ocher et le cōc̃p̃ayde et le ṽjueye et cum alijs
syde et bolco q̃d s̃ns alanus de cimeston de me in vita sua tenet q̃d ad m̃
de mackeswell et hēdibz suis et suis assignatis et hēdibz eoz unā librā et
reddendis. p̃ceda resigno cōcedo. et hoc sēpt̃o meo om̃io q̃cū dāmo p̃ me et
h̃ye potui in aduocatione eccl̃e de pencatelande cū suis p̃uincūs. sc̃iū q̃d
suis et suis assignatis et eoz hēdibz ad p̃dām eccl̃esā aliq̃ tēpe p̃sentatū
n̄ aliq̃ alia exceptio sine p̃acio et ecā aliq̃ imp̃et̃acio a curia romāna
et hēdes suis et suis assignatis et eoz hēdes et ecā s̃ aliquē ad eccl̃am
et om̃io q̃cū dāmo et hoc sēpt̃o meo cōfirmo p̃ me et hēdibz meis sēd h̃beat
firmatē hūc sēpt̃o sigillum meū apposui h̃is testibz sōte cumyn
Will̃s de lyndesay. Radulpho de eychyn et alijs. Quia s̃ sigillum meū
s̃ns symon fr̃as ad sigillum meū testificandum p̃ p̃acione mea

in dno. Hunc uniuersas q̄ra me p̄signasse concessisse et hoc sc̄pto meo omnino ḡtūclāmasse h̄q̄beo
ostendit dñi anno ḡre m̄. cc. Septuagimo sexto coram dño hugone de beptelaj tunc temporis iustici
habui et h̄p̄e potui in t̄ra de penecallāde ex occidentali p̄te aquę de t̄p̄ne sine aliq̄ pecunie nento. quā
dñs p̄p̄e ad extēdā dñe t̄p̄e faciendam p̄ fideles p̄āte fecit extēdā quā cū exto antiq̄ dñe et le goll
et alijs p̄ebz in q̄bz ius p̄ecū et p̄ete potui aliq̄ extēdā in dñā t̄ra fcam. exceptis tñ bosto del surh
ad h̄edes meos post ei decessum p̄uenit excepto etiam le p̄uthyrl̄poc p̄ q̄ ego et h̄edes mei dñs h̄beo
t̄p̄ni annuatim nōte f̄p̄me p̄foluēti et exceptis octo solidis de w̄ayda castelli in t̄h̄edibz meis annuatim
et alijs meis h̄q̄beo de w̄acheford et h̄edibz suis et suis assignatis et h̄edibz eorū q̄cūq̄ iuris habui del
ego et h̄edes mei seu aliq̄ nōte meo et ex p̄te mea et h̄edum meorū cōt̄ aliq̄ue a dñs h̄beo et h̄edibz
p̄sentandū obicere valeam q̄d dñā ecclā in fundo meo sita sit solo ecclā et concedo q̄d nec ista exceptio
et aliq̄ alia cupra in et h̄edibz meis aliq̄ tēpe et aliq̄ modo valeat et valere possit S̄ dñm h̄q̄beo
et dñā p̄ ip̄os aliq̄ tēpe p̄sentatū et p̄sentandū. Ita S̄ omnia et singla q̄ sup̄ dñā sunt solo concedo.
h̄edibz suis et suis assignatis et eorū h̄edibz nullo p̄ponendo obſtante. In cuius rei testimonium et p̄petuā
m̄. p̄te de l̄ynceſaj. Ricardus fr̄as. Rob̄t̄ de Lambeyton. Waltero de l̄ynceſaj dñs de p̄oryston milibz
non multum antiquum nec cognitum est dñs hugo de beptelaj tunc temporis iusticiarius laudare et
mea p̄nta sc̄pto sigilla sua fecerunt apponi.

quum nec cognitum est, dominus Hugo de Berkelay, tunc temporis justiciarius Landonie, et dominus Symon Fraser ad sigillum menm testificandum, pro petitione mea, presenti scripto sigilla sua fecerunt apponi.

8. EXTRACT from the Records of the Abbey of Holmcoltran, of the perambulation of the marches between the lands of Kirkwinnin and Culwenn. [17th January] 1289.

De Divisis inter Kyrkwynin et Culwenn 1289.

Hoc scriptum testatur quod cum quedam visitatio de diuisis inter terram Grangie de Kirewiunin et terram de Culwenn per multum tempus exstiterit, tandem anno Domini m^o cc^o octuagesimo nono, vigiliis beati Petri apostoli in Cathedra, praesentibus domino Roberto Abbate de Holm et domino Thoma filio domini Gilberti de Culwenn, una cum Michaele filio Durandi, Waltero filio ejus, Adamo de Culweuu, Patricio Maccoffoc, Patricio Magilboythin, Thoma filio ejus, Thoma de Arbygland, Hugone de Hurr, Gillasald Maccoffoc, Gilchristo Mackarnachan, Achyne Marlsele, Mone Macgilherine, communi assensu utriusque partis, scilicet, abbatis et domini Thomae in hoc modo factae fuerunt dinisae: videlicet, quidam rivulus qui cadit in aquam de Snthayk inter Larghenachan et Locancur ascendeudo usque le Bathepoc et sic ascendendo per quandam sicam usque Bracanhirst et deinde versus austrum usque le Stanrayse, et deinde usque ad quoddam piunaculum supra mussam quae vocatur Meynhouyld, et sic versns occidentem usque ad aliud pinnaculum supra eandem mussam, et deinde usque le Brone supra le Gile quae vocatur Tavenaherothery, et sic descendendo versus occidentem usque ad quandam quercum quae stat in eadem Gile, et sic per eandem Gile descendendo usque ad aliam quercum prostratam a parte anstrali ejusdem Gile Tavenaherothery, et sic directe descendendo usque Pollenhaune, et sic per Polleuhaune usque dum cadit in mussam, et sic per eandem mussam usque ad magnam albam rupem quae stat in eadem mussa, et sic directe versus occidentem usque le Birkheved, et deinde usque ad quercum prostratam, et sic usque ad Stodfald, et deinde usque ad quercum cruce signatam, et sic descendendo per sicam quae cadit in Bogher versus austrum, et sic per eandem sicam sicut cadit in rivulum iuter Clochoc Monachar et Clochoc Beg de Culwenn, et praecipue sicut predicti abbas, dominus Thomas, et caeteri prenominati dictas diuisas eodem die ambulaverunt, et eas per cruces et stanrayses ac alias metas apparentes fieri ordinauerunt; quasquidem diuisas et metas dictus Abbas pro se et successoribus suis, et dominus Thomas pro se et haeredibus snis et assignatis ratas et stabiles perpetuis temporibus habebunt et tenebunt: In cujus rei testimonium, etc.

In dorso.—Extracted from the Register of the Abbacy of Holm Coltran, in Cumberland (to which Abbacy the whole parish of Kyrkwinnin belouged), which is in the hands of Joseph Nicolson of Hawkesdale, Esq., in Cumberland, written upon vellum, and copied out of the same by me, John Goldie of Craigmue.

9. CHARTER by SIMON, BISHOP OF GALLOWAY, to the MONASTERY OF SWEETHEART, of the Parish Church of Crossmichael. [21st September] 1331.

VNIUERSIS sancte matris ecclesie filiis presentibus et futuris has literas inspecturis, Symon Dei gracia Caudide Case episcopus, salutem in Domino sempiternam: Nouerit vniuersitas vestra, nos diuine pietatis intuitu et causa pure elemosine, ex vnanimi et expresso consensu et assensu capituli nostri Candide Case, conceisisse, assignasse, et presenti scripto nostro, auctoritate nostra pontificali, pro nobis et successoribus nostris, confirmasse religiosis viris, abbati et conuentui de Dulci Corde, ordinis

Cisterciensis, dyocesis Glasguensis, et eorum successoribus inperpetuum, ob eminentem et notoriam paupertatem ac oppressionem euidentem eiusdem monasterii, ecclesiam parochialem de Crossmichel nostre diocesis, que ex dono nobilis mulieris domine Deruorgulle, filie domini Alani quondam domini de Galwydia, fundatricis dicti monasterii de ipsorum patronatu existit, prout de hiis omnibus vocatis de jure vocandis per inquisitionem sufficientem in forma iuris coram nobis extitit plenarie facta fides, in vsus ipsorum proprios, cum omnibus suis iuribus, prouentibus, obuencionibus et pertinenciis vniuersis ad ipsorum et monasterii predicti releuameu et sustentacionem ac pauperum peregrinorum et hospitum ad ipsum monasterium indies confluencium, secundum quod facultates sue suppetunt et requirunt, suscepcionem : Cuius quidem ecclesie de Crossmichel possessionem corporalem prefati Abbas et conuentus, concurrentibus omnibus que de jure requirebantur in hac parte, auctoritate nostra sunt assecuti pacifice et quiete, eamque sic assecutam legitime possident in presenti. Volumus insuper et sane ordinamus quod ad vicariam ecclesie predictae, cum ipsam vacare contigerit, predicti abbas et conuentus nobis et successoribus nostris personam ydoneam debeant presentare, que cultum diuinum et curam animarum sibi committendam competenter prout decet valeat exercere et laudabiliter supportare ; pro cuius sustentacione perpetuo duratura ordinamus quod dictus vicarius annuatim percipiat de abbate et conuentu prenotatis, in ecclesia sua de Crossmichel, decem marcas sterlingorum ad duos terminos cuiuslibet anni, videlicet vnam medietatem in festo beati Michaelis Archangeli et aliam medietatem in festo pasche proximo sequentis. Volumus tamen et prouidemus quod terra ad vicarium spectans secundum antiquas diuisas cum medietate predicti herbagii cuiuscunque pascue et pasture et feni decimalis cum medietate farine braciini infra decem marcas predictas computentur vicario qui pro tempore fuerit que extendimus ad viginti sex solidos duntaxat, et sic remanent computatis premissis octo marcis cum octo denariis : Soluendo in sicca pecunia prefato vicario per abbatem et conuentum supradictos de ordinariis videlicet procuratoribus episcopalibus, archidiaconalibus et synodalibus, summas persolendas pro loco et tempore : Volumus Abbatem et conuentum totaliter onerari de repentinis exactionibus per papam, seu de consensu cleri Candide Case cum consensu episcopi eiusdem loci, constitutis : Volumus et ordinamus quod sepedictus vicarius respondeat pro rata porcionis sue, deductis tamen quinque marcis pro communi salario sacerdotali : Nolumus tamen per concessionem premissorum in aliquo iuri nostro episcopali derogare. Et ad rei geste perpetuam memoriam secundum formam suprascriptam hanc concessionem nostram volentes habere firmitatem, eam auctoritate nostra pontificali confirmamus, et sigilli nostri impressione vna cum sigillo capituli nostri Candide Case commuimus : Hec acta et scripta fuerunt in manerio nostro de Kyrerist, assistentibus nobis domino Willelmo tunc temporis Abbate de Dundraynan, et domino Waltero Abbate de Tungeland, Magistro Patricio tunc archidiacono nostro, Johanne de Blekeburne tunc officiali nostro, domino Johanne Walays vicario de Twynam tunc decano nostro de Desnes, magistro Andrea rectore de Parton, et multis aliis clericis et laicis. Datum apud mauerium nostrum de Kyreriste predictum, die sancti Mathe apostoli, anno gracie millesimo tricentesimo tricesimo primo.

10. CHARTER by JOHN OF MAXWELL to the CHURCH OF ST. MARY OF DRYBURGH, of Patronage of the Church of Pencateland, with the Chapel of Payston. *Circa* A.D. 1343.

UNIUERSIS sancte matris ecclesie filiis hoc scriptum visuris uel auditoris, Johaunes de Maxwell filius quondam domini Johannis de Maxwell de Pencateland militis, salutem in Domino sempiternam

Noverit vniuersitas vestra me divine pietatis intuitu dedisse, concessisse et hac presenti carta mea confirmasse Deo et ecclesie sancte Marie de Dryburgh et abbati et canonicis ibidem Deo serui-entibus et in perpetuum seruaturis, ordinis Premonstratensis, Sancti Andree dyocesis, jus patronatus ecclesie de Pencateland : Tenendum et habendum in liberam, puram et perpetuam elemosinam, cum capella de Payston, sibi et successoribus suis, pro salute anime mee et vxoris mee et pro salute animarum patris mei et matris mee et omnium antecessorum meorum et successorum meorum cum terra ecclesiastica ejusdem et dicte capelle, et in augmentum terre ecclesiastice decem acras terre juxta le Sowthsyde, et cum omnibus aliis aysamentis et libertatibus aliquo tempore ad eandem ecclesiam et dictam capellam pertinentibus vel quoquomodo pertinere valentibus, ita libere, quiete et plenarie sicut aliquis patronus in regno Scocie aliquod jus patronatus alicui ecclesie vel viris religiosis aliquibus liberius, quietius aut plenarius potest conferre. Ego vero dictus Johannes et heredes mei seu assignati predictam donationem meam prefatis abbati et canonicis de Dryburgh contra omnes homines et feminas warrantizabimus, acquietabimus et defendemus in perpetuum. Vt autem hec mea donacio, concessio, voluntas et confirmatio robur optineat perpetue firmitatis, presentem cartam meam sigilli mei appositione roborauimus, et ad maiorem securitatem, sigillum venerabilis patris domini Willelmi de Sancto Andrea Dei gratia tunc abbatis de Melros presenti carte mee apponi procurauimus. Hiis testibus, domino Willelmo tunc abbate de Kelkow, domino Bartholomeo tunc abbate Sancte Crucis de Edynburgh, domino Patricio comite Marchie, domino Roberto de Keth domino ejusdem, domino Alexandro de Sethon domino ejusdem, domino Willelmo de Abyrnythyn, militibus, Roberto Mawtaland domino de Thyrlstane, Alauo de Trebrone domino ejusdem, Ingeramo de Wynton domino de Feuton, Hugone de Wynton, Thoma de Leys de Sawlton, et multis aliis.

11. CHARTER by JOHN OF MAXWELL, knight, Lord of Carlawerock, to ALEXANDER
MATELAND, of the lands of Pencateland. *Circa* 1343.

OMNIBUS hanc cartam meam visuris uel auditoris, Johannes de Maxwel miles, dominus de Carlawerok, salutem in Domino : Noueritis me dedisse, concessisse et presenti carta mea in perpetuum confirmasse dilecto meo Alexandro Mateland totam illam terram meam de Pencateland infra vicecomitatum de Edynburgh, quam quidem terram cum pertinentiis Alicia de Pencateland filia et heres quondam Johannis de Pencateland patris sui, sua mera et spontanea voluntate mihi resignauit et per fustem et baculum pure et simpliciter sursum reddidit, pro suo bono consilio et auxilio mihi impenso : Tenendam et habendam totam dictam terram meam de Pencateland cum suis pertinentiis dicto Alexandro heredibus suis et assignatis, de me, heredibus meis et assignatis hereditarie, libere, quiete, pacifice et honorifice, per omnes rectas metas suas diuisas et antiquas, cum omnibus libertatibus, commoditatibus, aysamentis, rectitudinibus et ceteris universis pertinentiis quibuscunque, tam sub terra quam supra terram, tam non nominatis quam nominatis, ad dictam terram cum pertinentiis spectantibus seu quocunque jure, titulo vel consuetudine in futurum spectare valentibus : Reddendo inde annuatim dictus Alexauder, heredes sui et assignati, michi heredibus meis et assignatis, vnum denarium argenti iu festo pentecostis ad dictam terram de Pencateland nomine albe firme, si petatur, pro omnibus aliis seruitiis, exactionibus et demandis secularibus que de dicta terra cum pertinentiis per me, heredes meos et assignatos de dicto Alexandro, heredibus suis et assignatis, quoquo modo exigi poterint vel requiri : Et ego vero Johannes de Maxwell miles, heredes mei et assignati, totam

illam terram cum pertinentiis contra omnes homines et feminas presentes et futuros dicto Alexandro hereditibus suis et assignatis warrandizabimus, acquietabimus et in perpetuum defendemus. In cuius rei testimonium presenti carte mee sigillum meum est appensum : Hiis testibus, dominis Willelmo Waus, Waltero de Halyburton, Johanne de Preston, Willelmo Baly, Danid de Hanand, Johanne Herys et Roberto de Leunyngston, militibus, et multis aliis.

12. CHARTER by JOHN OF MAXWELL, knight, to the ABBEY OF DRYBURGH, of the patronage of the Chnrch of Pencateland, etc. *Circa* 1340.

JOHANNES DE MAXWELL miles, quondam filius domini Johannis de Maxwell et heres domini Eustachii de Maxwell fratris sui . . . *gives to Dryburgh* . . . jus patronatus ecclesie de Pencaitland cum capella de Paystun cum terra ecclesiastica ejusdem, pro salute anime mee, uxoris mee, et pro salute patris mei et matris mee et omnium antecessorum et successorum meorum : Testibus Roberto senescallo Scotie, Patricio comite Marchie, domino Mauricio de Moravia, domino Willelmo de Lenynston, domino Roberto de Erskyn, domino Willelmo de Vallibus, militibus, Herberto de Maxwell, Willelmo Lockhard, Adam Lockhard fratre ejusdem, Willelmo Sympyll, Roberto de . . . Johanne de Nesbythe, Johanne Maulyuerer, Johanne de Pontefracto de Lanark et multis aliis.¹

13. CONFIRMATION by WILLIAM, PRIOR OF ST. ANDREWS, of the Church of Pencateland, the patronage of which had been granted by John of Maxwell of Pencateland and Sir John Maxwell, knight, Lord of Maxwell. [23d January] 1343.

WILLELMUS miseratione divina Prior S[ancti] Andree et ejusdem loci capitulum . . . *confirm* . . . chartam venerabilis patris Willelmi de Lendall, D. g. episcopi Sancti Andree in hec verba : Willelmus miseratione divina ecclesie S. Andree humilis minister, salutem et episcopalem benedictionem . . . *confirms* . . . Deo et ecclesie sancte Marie de Drybnrgh ecclesiam parochialem de Pencaitland cum capella de Paystun, cuius jus patronatus Johannes de Maxwell de Pencatland et dominus Johannes Maxwell miles, dominus de Maxwell, concesserunt dictis Abbati et conventui : Testibus domino Willelmo tunc priore S. Andree, magistro Roberto de Den tunc senescallo nostro, Patricio de Loncr' rectore de Tynningham, dominis Willelmo de Abirnethy et Roberto de Irskyn, militibus, Johanne de Sancto Claro, Willelmo Loccard, et multis aliis. Nos vero predicti Prior . . . predictam donationem et concessionem confirmamus : Data die Veneris in crastino beati Vincentini martyris, anno Domini millesimo tricentesimo xliij.²

14. CHARTER by KING DAVID THE SECOND to JOHN HERRIES, knight, of the barony of Terregles. 15th March [1357].

DAVID Dei gracia Rex Scottorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem : Cum dilectus consanguineus noster Thomas comes de Marre merc et spontanee resignaverit nobis et in manus nostras per fustem et baculum pure et simpliciter in presencia testium fide-

¹ From Notes made by George Crawford, author of the Peerage of Scotland, from the original Charter in the hands of the Lady Cardross, in possession of William Fraser, Edinburgh.

² These grants were confirmed by King David the Second, by charter dated 14th April, in the

seventeenth year of his reign. The witnesses to the King's charter were Thomas of Carnotto, his Chancellor, and William and Adam, Bishops of St. Andrews and Brechin.—[Notes by George Crawford, referred to in preceding note.]

dignorum regni nostri sursum reddiderit, pro se et heredibus suis, totam baroniam ac terram suam de Trauereglys cum pertinenciis in vicecomitatu de Dromfrez, cum omnibus libertatibus, commoditatibus et aysiamendis ad dictam baroniam spectantibus sen in futurum spectare valentibus quouismodo, sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse Johanni Heryz, militi, dilecto et fideli nostro et Mergarete sponse sue vel eorum alteri diucius viuenti, ac suis heredibus et assignatis totam baroniam ac terram de Trauereglys snpradictam cum pertinenciis in dicto vicecomitatu de Dromfrez: Tenendas et habendas eisdem Johanui et Mergarete sponse sue vel eorum alteri diucius viuenti ac eorum heredibus et assignatis de nobis et heredibus nostris imperpetuum, in feodo et hereditate, sine aliquo retinemento nostri vel heredum nostrorum, per omnes rectas metas et diuisas snas libere, quiete, plenarie, integre et honorifice, bene et iu pace, cum jure patrouatus seu aduocacionis ecclesie siue ecclesiarum ad dictam baroniam, si que sint vel fuerint, spectancium, necnon et cum molendinis, mltaris et eorum sequelis, bracinis, fabrilibus, venacionibus, aucupacionibus et piscationibus, in moris, marresiis, aquis, stagnis, boscis, planis, pratis, pascuis et pasturis, petariis, turbariis, viis, semitis, rectis metis et diuisis suis, cum bondis, bondagiis, natinis et eorum sequelis, cum curiis et escaetis, cum furca, fossa, sok, sake, tholle, theme et infangandthef et cum omnimodis aliis libertatibus, commoditatibus, aysiamendis et iustis pertineuciis suis quibuscumque, tam prope quam procul, tam sub terra quam snpra terram, tam non nominatis quam nominatis, in omnibus et per omnia ad predictam baroniam de Trauereglys cum pertinenciis spectantibus seu quouomodo de jure vel consuetudine spectare valentibus in futurum, adeo libere, quiete, plenarie, integre et honorifice sicut aliquis baronum nostrorum regni nostri Scocie quicunque fuerit terram suam siue baroniam liberius, quocius, plenius et honorificentius de nobis tenet vel possidet quouismodo, saluo seruitio nostro de dicta baronia nobis debito et consneto: In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi: Testibus venerabilibus in Christo patribus Wilelmo et Patricio cancellario nostro Sancti Andree et Brechy-nensis ecclesiarum Dei gracia episcopis, Roberto senescallo Scocie comite de Stratherne nepote nostro karissimo, Wilelmo comite de Douglas, Roberto de Erskyne, Hugone de Eglyntonn, Archibaldo de Douglas, Johanne de Prestoun et Wilelmo de Lydale militibus: Apud Edynbnrgh quinto decimo die mensis Marcii, anno regni nostri vicesimo nono.

15. CHARTER by KING DAVID THE SECOND, confirming a Charter by Patrick of Dunbar, Earl of March and Moray, of Over and Nethir Merkyll, to JOHN OF HIBBURNE and his heirs, whom failing, to PATRICK HYEBURNE, his brother, Lord of Halys. 1st July [1362].

DAVID Dei gratia rex Scottorum, omuibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos quandam cartam dilecti consanguinei nostri Patricii de Dunbarr, comitis Marchie et Moranie, non rasam non abolitam non cancellatam nec in aliqua sui parte viciatam, vidisse diligenter et intellexisse, formam que sequitur contineutem:

SCIANT tam presentes quam futuri, quod nos Patricius de Dunbarr, comes Marchie et Moranie, dedimus, concessimus, et hac presenti carta nostra confirmamus, dilecto et fideli nostro Johanni de Hibburne, pro bono et fideli seruicio suo nobis impenso et impendendo, omnes terras et tenementa de Ouer Merkyll et de Nethir Merkyll, per suas rectas metas et antiquas diuisas ibidem iacentes cum pertinenciis: Habendas et tenendas eidem Johanni et heredibus suis de corpore suo legitime procreatis seu procreandis, de nobis et heredibus nostris, cum omnimodis seruiciis libereteneucium,

bondis, bondagiis, molendinis et multuris, curiis et eschaetis, et cum omnibus aliis et singulis commoditatibus, libertatibus, aysiamenis et aliis iustis pertinenciis suis quibuscunque ad dictas terras et tenementa spectantibus seu qualitercunque spectare valentibus in futurum tam in communibus pasturis quam in separabilibus, in pratis, pascuis, moris, marresiis, petariis, turbariis, venacionibus, aucupacionibus, piscacionibus tam de la Lyn et aque de Tyne quam aliarum aquarum, in stagnis, viuariis et lacubus, in viis et semitis, et cum omnibus aliis appendenciis suis tam extra dictas terras et tenementa quam infra existentibus, tam subtus terram quam supra, procul et prope, et cum libero introitu et exitu, libere, quiete, integre, beue et in pace in omnibus et per omnia sine aliquo retinemento in feodo et hereditate in perpetuum : Quoquidem Johanne absque herede de corpore suo legitime procreato decedente, aut herede vel heredibus suis de corpore suo linialiter et legitime exeunte vel exeuntibus, decedente vel decedentibus, volumus et pro nobis et heredibus nostris concedimus quod omnes predictae terre et tenementa cum omnibus suis pertinenciis nominatis et non nominatis Patricio de Hybburne fratri suo domino de Halys et heredibus suis de corpore suo procreatis libere reuertantur et remaneant in feodo et hereditate in perpetuum : Reddendo inde annuatim nobis et heredibus nostris vnum par calcarium deauratorum, vel quinque solidos argenti, nomine albe firme, apud Ouer Merkyll in festo natiuitatis beate Marie Virginis, tantum si petantur, pro omnimodis aliis terrenis seu secularibus seruiciis, consuetudinibus, exaccionibus seu demandis que per nos aut per heredes nostros de dictis terris et tenementis cum pertinenciis exigi poterunt aut demandari qualitercunque in futurum : Nos vero predictus Patricius et heredes nostri omnes predictas terras et tenementa cum suis pertinenciis vniuersis predicto Johanni et heredibus suis predictis, aut ipso vel ipsis sine herede vel heredibus predictis decedente vel decedentibus, prefato Patricio domino de Halys et heredibus suis prenotatis pro predictis calcaribus seu quinque solidis argenti annuatim nobis et heredibus nostris suis termino et loco vt premittitur soluendis contra omnes homines et feminas warantizabimus, acquietabimus et in perpetuum defendemus : In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi : Hiis testibus, venerabili in Christo patre Wilelmo Dei gratia Sancti Andree episcopo, dominis Wilelmo et Thoma viris nobilibus comitibus de Fyff et de Marr, domino abbate Sancte Crucis, domino Laurencio decano ecclesie collegiate de Dunbarr, magistro Thoma de Gordoun rectore ecclesie de Prestoun, dominis Waltero de Halyburtoun, Patricio de Polword, Alexandro de Halyburtoun militibus, Wilelmo Mor domino de Peckoks, Alexandro de Reelyngtoun, constabulario castri de Dunbarr, Alano Hog de Lyntoun et multis aliis.

QUAM quidem cartam, donacionemque et concessiouem in eadem contentas in omnibus et singulis punctis suis, articulis, condicionibus et modis ac circumstanciis suis quibuscunque, forma pariter et effectum in omnibus et per omnia approbamus, ratificamus et pro nobis et heredibus nostris in perpetuum confirmamus, saluo seruicio nostro : In cuius rei testimonium presenti carte nostre confirmationis sigillum nostrum precepimus apponi : Testibus venerabili in Christo patre, Patricio episcopo Brechinensi cancellario nostro, Roberto senescallo Scocie comite de Stratherne, nepote nostro, Wilelmo de Keth marescallo nostro Scocie, Roberto de Erskyne camerario nostro, Archibaldo de Douglas et Johanne Del Ile militibus, apud Edinburgh, primo die Julii anno regni nostri tricesimo quarto.

16. EXTRACT of CHARTER by KING DAVID THE SECOND to JOHN HERRIES, knight,
of the barony of Terregles. 17th October [1364].

DAVID Dei gratia rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Johanni Herice militi, totam baroniam de Traverreglis cum pertinentiis, infra vicecomitatum de

Drumfres que fuit dilecti cousanguinei nostri Thome comitis de Marr, et quam idem comes coram pluribus regni nostri prelatibus et proceribus nobis per fustem et baculum sursum reddidit, pureque et simpliciter resignavit, ac totum jus et clameum quod dictus comes in predicta baronia habuit vel habere poterit pro se et heredibus suis omnino quietum clamanit in perpetuum : Tenendam et habendam eidem Johanni et heredibus suis ac assignatis de nobis et heredibus nostris in feodo et hereditate in perpetuum, in vnam integram et liberam baroniam, per omnes rectas metas et dinisas suas, in boscis et planis, in pratis et pascuis, in moris et marresiis, in viis et semitis, in aquis et stagnis, fabrilibus et brasinis, in molendinis, multuris et eorum sequelis, cum aucupacionibus, venacionibus et piscariis, cum bondis, bondagiis, natiuis et eorum sequelis, et cum seruitiis libereteneutium et tenendiis dicte baronie, cum aduocacionibus ecclesiarum si que sint in eadem, necnon et specialiter cum omnibus et singulis libertatibus subsequentibus, quas per fidelem et diligentem inquisitionem de mandato nostro factam per vicecomitem nostrum de Drumfres per meliores antiquiores et fidedignos totius vicecomitatus predicti et ad capellam nostram sub sigillis suis retornatam inuenimus ad dictam baroniam debere de jure et consuetudine antiquitus pertinere : primo, videlicet, quod dicta baronia de nobis tenetur in libera baronia ; et quod nulla via est infra predictam baroniam, [nisi] due vie quarum una per longitudinem et altera per latitudinem, et quod dicta baronia est libera de sorryn, et [nul]los nisi seriandi venerint per baroniam predictam cum raptore vel cum capite raptoris ; et si poterint transire extra dictam baroniam ante occasum solis, nihil habebunt ad expendendum, et si non poterint extra dictam baroniam ante occasum solis transire, habebunt hospitium ad hospitandum pro illa nocte, vel homines predicte baronie recipient raptorem vel caput raptoris de predictis seriandis ad custodiendum illa nocte, et ad liberandum eisdem seriandis ipsum raptorem vel caput raptoris in crastino ad solis ortum, et tunc ipsi seriandi ibidem ad hospitandum ubicunque melius poterint expedire : Item quod nullus seriandus noster neque coronator debet officium suum facere infra dictam baroniam nisi primo veniat ad Chymmys domini dicte baronie et ibi presentabit attachiamenta sua constabulario vel ballino dicte baronie super certas personas ; et si ballius concesserit quod sint homines domini sui infra dictam baroniam habitantes, ipse ballius erit plegius ad intrandum eos coram justiciariis, et si non concesserit ballius quod sint homines domini sui, coronator vel seriandus coronatoris debent, cum testibus predicte baronie, officium suum facere in eadem ; et si coronator vel seriandus coronatoris inuenerit aliquem fugitiuum, domini eiusdem baronie habebit bona sua, et non nos ; et si inuenerit aliquem infra dictam baroniam et ballius suus voluerit eum replegiare, coronator noster vel eius seriandus ducent predictam personam cum bonis suis ad carcerem nostrum : Item quod homines predicte baronie non debent respondere ad victualia custodis prime justicie nec vicecomitis : Et quod homines predicte baronie debent respondere ad exercitum nostrum : Item quod nullus coronator nec alius debet ranciare infra baroniam predictam nisi inuenerit plegios quod illa domus sit culpabilis, et si aliquis cum odorinsico fuerit persecutus, bona sua quod non ranciabit sine licencia seraudi baronie : Item quod non respondebunt vlllo cariagio nisi nostro, et hoc trausendo per baroniam predictam vsque ad metas ; et quod solvatur pro quolibet equo vnus denarius pro quatuor lencis similiter : cum furca et fossa, cum sok et sak, tholl et theam et infangandthef, et cum omnibus aliis et singulis libertatibus, commoditatibus, aysiamenis et iustis pertinentiis suis quibuscunque, tam nominatis quam non nominatis, tam sub terra quam supra terram, tam prope quam procul ad predictam baroniam spectantibus seu quouis modo de jure et consuetudine spectare valeantibus in futurum, adeo integre, libere, quiete, plenarie et honorifice in omnibus et per omnia sicut dictus comes vel predecessores sui predictam baroniam cum pertinentiis de nobis ante resignacionem suam nobis exinde factam liberius, quietius, plenius et honorificentius

tenuit seu possedit, tenuerunt vel eciam possederunt : Faciendo nobis et heredibus nostris dictus Johannes et heredes sui vel assignati seruiciu de predicta baronia debitum et consuetum : In cuius rei testimonium presenti carte nostre sigillum nostrum precipimus apponi : Testibus, etc. Apud Edinburgh, decimo septimo die mensis anno regni nostri tricesimo sexto.

17. CHARTER by KING DAVID THE SECOND to JOHN HERRIES, knight, of the regality of Terregles. 6th June [1366].

DAVID Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis quod concessimus dilecto et fideli nostro Johanni Heryce, militi, de gracia nostra speciali, quod ipse et heredes sui masculi de corpore suo legitime procreati vel procreandi libere habeant, teneant et possideant omnes et singulas terras baronie de Trauereglys cum pertinenciis in pura, libera et iutegra regalitate infra vicecomitatum de Drumfres, cum curiis de vita et membris, cum omnibus aliis que ad meram, puram et liberam regalitatem pertinent, adeo libere et quiete, plenarie, integre et honorifice, iu omuibz et per omnia, sicut aliqua regalitas in toto regno nostro de nostra couessione liberius, quocius, pleuius, integrius et honorificencius possidetur aliqualiter siue datur : Quare firmiter prohibemus ne quis ipsum Johannem, heredes suos aut homines dictas terras inhabitantes, contra hanc nostram concessionem grauare, perturbare vel aliqualiter inquietare presumat, sub pena que competit in hac parte : In cuius rei testimonium presentibus sigillum nostrum precepimus apponi : Apud Edinburgh, sexto die Junii anno regni nostri tricesimo septimo.

18. EXTRACT OF CHARTER by KING DAVID THE SECOND to JOHN HERRIES, knight, of the lands of Kirkgunnane. 7th June [1367].

DAVID Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Johanni Herice, militi, omnes et singulas terras de Kirkgunnane cum pertinenciis que fuerunt religiosorum virorum abbatis et conuentus monasterii de Holme, iufra vicecomitatum de Dumfres : Tenendas et habendas dicto Johanni et heredibus suis in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamendis et justis pertinenciis suis quibuscunque, tam cum annuis redditibus eoruudem, arreragiis et le saltcoitis, quam commoditatibus aliis et pertinentiis quibuscunque, quousque concordia inter regnum nostrum et Angliam fuerit reformata, et licenciamus eundem militem quod licite compouere valeat cum dictis religiosis et conuenire super jure quod eisdem competit in dictis terris, et huiusmodi composiciouem et conuencionem, [quando] cum eisdem facte fuerint, approbari volumus et ratificari, saluo seruicio uostro : In cuius rei testimonium, etc. Testibus, etc. Apud Dunfermeling vij^o die Junii auno regni nostri tricesimo nono, etc.

Hec est vera copia istarum trium principalium cartarum in registro contentarum, in omnibus cum principalibus concordans et de dicto registro de mandato supremi domini nostri regis et dominorum consilii extracta, nono die Nouembris anno Domini millesimo quingentesimo tercio, per me magistrum Gavinum Dunbar decanum Morauiensem, clericum rotulorum et registri ac consilii supremi domini nostri regis, sub meis siguo et subscriptione manualibus.

GAVINUS DUNBAR.

19. NOTARIAL COPY, dated 2d November 1506, of an EXTRACT, dated 9th November 1503, of a CHARTER dated 14th March [1368], by KING DAVID THE SECOND to JOHN HERRIES, knight, of the lands of Athurry, with an annual rent from the lands of Skeok.

IN nomine Domini amen : per hoc preseus publicum iustrumentum siue publicum transumptum cunctis pateat euidenter et sit notum quod anno ab Incarnacione eiusdem millesimo quingentesimo sexto, mensis vero Novembris die secundo, indicione decima, pontificatusque sanctissimi in Christo patris et domini, nostri domini Julii divina providencia pape secundi anno quarto, coram venerabili et egregio viro magistro Herberto Gledstanis, comissario reuerendissimi in Christo patris et domini, domini Roberti miseratione diuina Glasguensis Archiepiscopi infra partes de Nytht, Desnes et Vallis Anandie, cum suis connexis pro tribunali sedente in ecclesia Fratrum Minorum de Drumfres : Iu mei notarii publici et testium subscriptorum presencia personaliter comparuit honorabilis vir Johannes Heris, frater germanus nobilis viri Andree domini Heris de Terreglis, ac procurator et eo nomine suprascripti Andree domini Heris, habens et tenens in manibus suis quoddam volumen in papiro scriptum et subscriptum subscriptione manuali et siguo veverabilis et egregii viri Magistri Gavini Dunbar, decani Morauensis, ac clerici rotulorum et registri ac consilii supremi domini nostri regis, in quoquidem volumine contente erant tres copie trium cartarum singularum certarum terrarum quondam nobili viro Johanni Heris de Terreglis militi, per quoudam recolendissime memorie serenissimum et excellentissimum principem et dominum, dominum nostrum David olim Scotorum regem illustrissimum graciose concessarum ; quodquidem volumen et quasquidem copias prescriptarum trium cartarum prelibatus Johannes procurator et eo nomine vt supra coram dicto domino comissario in iudicio produxit et michi notario publico infrascripto perlegendas tradidit, et quarum copiarum vnam cartam, viz., sibi quondam Johanui Heris de Terreglis militi graciose vt premittitur concessam de et super omnibus et siugulis terris de Athurry, cum pertinentiis, vnacum annuo redditu viginti mercarum debito siue exeunte de terris de Skeok iufra vicecomitatum de Striueling, per me notarium publicum infrascriptum copiari, exemplari, trausumi et in publicam formam instrumentalem redigi humiliter peciit : cuiusquidem carte tenor sequitur de verbo ad verbum, et est talis :

DAVID Dei gracia rex Scotorum, omnibus probis hominibus totius terre sue, salutem : Sciatis nos dedisse, etc., dilecto et fideli nostro Johanni Heris, militi, omnes terras nostras de Athurry, cum pertinentiis, vna cum annuo redditu viginti mercarum debito siue exeunte de terris de Skeok iufra vicecomitatum de Striueling ; quemquidem annum redditum alias Johanni MaKelly per cartam nostram concessum, pretextu et virtute geueralis reuocacionis facte in nostro parlamento de terris nostris dominicis ad manus nostras alias recepinus reuocatum : Tenendas et habendas eidem Johanni et heredibus suis de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas et diuisas suas, cum omnibus et siugulis libertatibus, etc. : Reddendo inde nobis et heredibus nostris annuatim ad festum penthicostes vnum par calcarium deauratorum, nomine albe firme, tantum pro omni alio seruicio, consuetudine, exaccione vel demanda : Iu cuius rei, etc. Testibus etc. Apud Edinburgh, decimo quarto die Martii anno regni nostri quadragesimo.

QUARUMQUIDEM copiarum prescriptarum trium cartarum subscriptio talis erat : Hec est vera copia istarum trium principalium cartarum in registro contentarum in omnibus cum principalibus concordans et de dicto registro de mandato supremi domini nostri regis et dominorum consilii extracta, nono

die Nouembris anno Domini millesimo quingentesimo tercio, per me Magistrum Gavinum Dunbar decanum Morauiensem, clericum rotulorum et registri ac consilii supremi domini nostri regis, sub meis signo et subscriptione manualibus: GAVINUS DUNBAR: Et quamquidem cartam terrarum de Athurry et annui redditus viginti mercarum de Skeok ego notarius infrascriptus atteudeus et considerans desiderium dicti Johannis procuratoris vt supra fore justum et rationi consonum, in iudicio publice alta et intelligibili voce coram dicto commissario perlegi, copiatu, exemplau, ac de verbo ad verbum transumpsi et in publicam formam instrumentalem redege; ac vt veritas maius luceret, sigillum officii dicti domini commissarii ad eius mandatum tanquam scriba sue curie pro tempore presenti transumpto appendi: Super quibus omnibus et singulis premissis predictus Johannes procurator et eo nomine sepedicti Andree domini Heris de Terreglis a me notario publico subscripto sibi fieri petiit publicum iustrumentum siue publicum transumptum: Acta erant hec infra ecclesiam Fratrum Minorum de Drumfres, loco judiciali, hora octaua ante meridiem, sub anno, die, mense, indicione et pontificatu quibus supra: presentibus ibidem honorabilibus viris, Johanne Asloane de Garreauch, Willelmo Cunynghame, Jacobo Lavder, Johanne Lavder, et Roberto Nevale burgensibus de Drumfres, necnon dominis Ricardo Maxwell, Johanne Lachlanson et Johanne Turnour, capellanis, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes Makhome, presbyter diocesis Glasguensis, publicus auctoritatibus apostolica imperiali et regia notarius, quia premissis [*etc., in forma communi*].

20. CHARTER by ROBERT OF MAXWELL, knight, LORD OF CARLAVEROCK, to the MONASTERY OF DRYBURGH, of laud in Wester Peutcaitland. Circa A.D. 1400.

OMNIBUS sancte matris ecclesie filiis hanc cartam visuris vel auditoris, Robertus de Maxwell miles, dominus de Carlauerok, salutem in Domino sempiternam: Sciatis me diuine caritatis intuitu ac pro salute anime mee et salute anime domini Herbaridi de Maxwell filii mei et heredis, ac pro salute omnium antecessorum et successorum meorum ac animarum omnium fidelium defunctorum dedisse, concessisse et hac presenti carta mea confirmasse Deo et beate Marie et monasterio de Driburgh et canonicis ibidem Deo seruientibus et in perpetuum seruituris, totam illam terram cum pertinentiis iacentem in villa et territorio de Westerpeucaitland, infra constabulariam de Hadyntoun, quam Johannes Mautalent dominus de Thrillystane de me tenuit, et quam terram idem Johannes non vi aut metu ductus nec errore lapsus, sed mera et spontanea voluntate sua, michi per fustem et baculum in plurimorum presentia sursum reddidit, pureque simpliciter resignauit . . . Tenendam et habendam totam predictam terram predicto monasterio et canonicis predictis cum omnibus commoditatibus libertatibus, aysiamendis ac iustis pertinentiis quibuscunque ad dictam terram spectantibus vel quomodolibet spectare valentibus, per omnes rectas metas et diuisas suas in puram et perpetuam eliminam imperpetuum, adeo libere, quiete, plenarie, pacifice, integre, et honorifice, bene et in pace, sicut predictus Johannes Mautalent vel antecessores sui predictam terram de me vel antecessoribus meis liberius, quietius, plenarius, pacificentius, integrius, honorificentius, tenuit seu possedit, tenuerunt vel possederunt, aliquo tempore retroacto: Reddendo inde annuatim mihi et heredibus meis predicti abbas et canonici qui pro tempore fuerint, vnum denarium argenti in festo pentecostis uonine albe firme, super solum terre, si petatur tantum, pro omuibz aliis seruitiis secularibus exactionibus et demandis que de predicta terra per me vel heredes meos exigí quovismodo (poterunt) vel requiri. Et ego vero predictus Robertus de Maxwell et heredes mei totam predictam terram predicto monas-

terio de Driburgh et caonicis predictis contra omnes mortales warantizabimus, acquietabimus, et in forma preuissa imperpetuum defendemus. In cuius rei testimonium huic presenti carte mee sigillum meum est appensum, hiis testibus venerabilibus in Cristo patribus dominis Willelmo et Thoma de Sacronemore et Duleicorde monasteriorum abbatibus, dominis Johanne Herys, Vmfrido Jardyn, Johanne Stenhouse, Harbardo de Maxwell de Cullynhath, Henrico Mundeuill, militibus, Thoma Durant, Gilberto Grereson, Jacobo de Cunyngham, et multis aliis.

21. CHARTER by ARCHIBALD, FOURTH EARL OF DOUGLAS, LORD OF GALLOWAY AND OF DUNBAR, afterwards DUKE OF TOURAINE, to the ABBOT OF SWEET HEART, of the Church of Kyrceum. *Circa* 1401.

Vniuersis sancte matris ecclesie filiis presens scriptum visuris vel audituris, Archebaldus comes de Douglas dominus Galwidie, et de Dunbar, salutem in Domino sempiternam : Noueritis nos iuspexisse cartam bone memorie domine Deruorgille de Galwidia, domine eiusdem, super donacione patronatus ecclesie de Kyrceum religiosis viris abbati et couentui de Dulci Corde, ac diligenter examinasse vnionem exinde factam dictis religiosis per reuerendum in Christo patrem dominum Adam quondam episcopum Candide Case ac etiam confirmacionem et donacionem sanctissimi in Christo patris domini Beuedicti diuina prouidencia Pape terciidecimi super eisdem : Nos igitur pro salute anime recolende memorie domini Archebaldi comitis de Douglas et domini Galwidie progenitoris nostri, et pro salute anime nostre et Margarete¹ spouse nostre, et pro animabus omnium antecessorum et successorum nostrorum, dedisse, concessisse et hac presenti carta nostra confirmasse Deo et beate Marie Virgini et omnibus sanctis, necnou abbati et couentui monasterii de Dulci Corde ordinis Cisterciensis Glasguensis dyocesis ecclesiam predictam de Kyrceum, eum pertineucis, in le Rennes infra dominium nostrum Galwidie : Tenendam et habendam predictis abbati et couentui qui pro tempore fuerint in puram et perpetuam elemosinam, ecclesiam supradictam, in proprios vsus, cum suis iuribus, fructibus, obuencionibus, oblaconibus, commoditatibus, aisiamentis et iustis pertinenciis quibuscunque adeo libere, quiete, bene et in pace sicut aliqua elemosina in toto regno Scoeie alicui monasterio datur seu conceditur quoquomodo sine aliquo retenemento imperpetuum : Nos vero predictus Archebaldus et heredes nostri dictam ecclesiam cum suis pertinenciis vniuersis in omnibus et per omnia ut predictum est predictis abbati et couentui qui pro tempore fuerint contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium presenti carte nostre sigillum nostrum apponi precepimus, apud Lyncludane, hiis testibus domiio Georgeo de Douglas comite Angusie, Heurico de Sancto Claro comite Orkadie, consanguineis nostris carissimis, dilectis consanguineis nostris dominis Johanne de Swynton, Johanne de Edmondston, Johanne Herys, Roberto de Maxwel, militibus, circumspectis viris domiio Eliseo preposito de Lyncludane, Magistro Alexandro de Carnys rectore de Foresta, et Wilelmo de Murehede, cum multis aliis.

22. BOND by ARCHIBALD, FOURTH EARL OF DOUGLAS, LORD OF GALLOWAY, to SIR HERBERT of MAXWELL, for forty merks. 1407.

BE it keude tyll all men by thir present lettys, vs, Archbalde heryll of Dowglace, and lorde of Galway, and our ayerrys, to be oblycht to our belouyde kosyn, Syr Harbarte of Maxwell, knyght, the son and the ayer of Syr Robert Maxwell, Lorde of Carlaveroke, and tyll hiis ayerrys, in xl marc

¹ This was the Princess Margaret, daughter of King Robert the Third.

zher be zher of vsnell muneth of the kynryk of Scotlande, to be payde to the forsayde Syr Harbarte, or tyll hiis ayerrys, ate twa termys of the zer, that is for tyll saye, Qwyssunday and Martynmas nexit eftyr the makyng of thir lettys, the zer of our Lorde m^ccccc^m and vij, qwylls we or our ayerrys mak tyll forsayde Sir Harbarte and hiis ayerrys, or thaer assygnys, xx^{ti} pondys worth of land herytably in fee and herytage in the schyrafdom of Clydysdall, Nydysdall, or Galwaye, with claus of warandy, the qwyk xx^{ti} pondys worth of lande we or our ayerrys hyghtys to mak or gar be made to the forsayd Syr Harbarte, or tyll hiis ayerrys, within twa zer nexite aftyr the makyng of thir lettys herytably in maner and forme befor wrytyn, alswe we oblych vs to supowelle and defende the forsayde Syr Harbarte in all hiis ryghtwys cause, als we awe to do onr man and our kosyn : To all thir thingys befor wrytyn, lelly to be keypde to forsayde Syr Harbarte, we haue genyn our gude fay : In the wytnes of the qwyk thyng we haue sette to our sell the zer beforsayde.

23. CHARTER by ROBERT DUKE OF ALBANY, REGENT OF SCOTLAND, dated 23d November 1414, confirming a charter by JOHN STEWART of Dalswintoun, to HERBERT MAXWELL of Carlsruok, knight, of the lands of Carnsalach and others, dated 10th August 1386.

ROBERTUS, dux Albanie, comes de Fife et de Menteth, ac gubernator regni Scocie, omnibus probis hominibus tocius regni predicti, clericis et laicis, salutem : Sciatis nos, quasdam literas Johannis Stenart de Dalswintoun factas et concessas dilecto et fideli nostro Herberto de Maxwel de Carlsruok, militi, de et super impigneracione, et in vadium dimissione, omnium terrarum suarum de Carnsalach, de Macolmeholme et de Peryshede, cum omnibus lez Holmis suis, iacentibus ex vtraque parte aque de Nyth ; necnon de le Heefeildis prout iacent, videlicet, a metis et diuisis de le Kyrktoun vsque ad metas et diuisas de Dusquen, et a metis et diuisis terre Abbatis de Darquhongale [Holywood] vsque ad metas et diuisas de Achinereth et de Burnskathe, cum omnibus pertinenciis suis, pro quadringentis marcis bone et vsualis monete regni Scocie, in quibus idem Johannes prefato Herberto tenetnr pro maritagio Katerine filie sue, de mandato nostro, visas, lectas, inspectas et diligenter examinatas, non raras, non abolitas, non cancellatas, sed omni vicio et suspicione carentes, intellexisse ad plenum in hec uerba :

Be it made knawin til al men thrw thir presentez lettres, me, John Steuart, lorde of Dalswintoun, til hafe wedset, and laide in wed al my landis of Carnsalauch, with Macolm Holm and Perishede, with al the Holmis of myne, lyand on aithir side of the water of Nith and Heefeildis, that is to sai, the merkis and the meris of the Kirkton, to the merkis and meris of Dusquen, and fra the meris of the Abbotis land of Corsraguel [Holywood] to the meris of Achinreth, and to the meris of Burnskath, with al the apperteneances pertenand to the saide landis, to Sir Herbert of Maxwel, knyght, the son and the aire of Sir Robert of Maxwel, Lorde of Carlsruok, for four hundreth mark of vsuel money of the kinrike of Scotlande, the quhilk I aw til him for the mariage of Katerine, mi dochtir : Til halde and til hafe the forsaide landis, with al apperteneances, alswele nocht nemmit as nemmit, alswele vndir erde as abone, in banking, in fysching, in fouling, in wais, in roddis, in vivaris, in stankis, in muris, in marras, in woddis, in feildis, in peteerde, in colehuch, in mylnis, in mnltris, in courtis and eschetis, in sernice of men, and of al vthir profitis, esementis, and commodites, and fredomez that pertenis in ony tyme, or mai pertene to the forsaide landis, til the forsaide Sir Herbert, his airis or assignes, freli, withoute oni again calling quhil at I, or myne airis, assithe the saide four hundreth mark to the saide Sir Herbert, his airis or assignes, in Sant Mary Kirk of Carlsruok, on the he [altar on anc d]ai betuix the son rising and

ganging to rest : Gifand and grantand al the profitis, malis and rentis, of the saide landis to the saide Sir Herbert, his air[is or assi]guez, for his help and consale before to me done, and als wa, grantis that the saide Sir Herbert sal pesabli joise, and hafe the saide mi landis, with the app[er]tena]nces sevin yhere eftir the paiment of the last peny of the four hundreth mark before saide ; and I, the saide Johne, and myne airis, sal warand and defe[nd] the saide mi landis, with the pertinencez, til the saide Sir Herbert, his airis or assignez, againe al men and women, quhil the saide four hundreth mark, as is befor saide b[e]le]li payit and assithit, and gif it hapnis, as God forbede it do, the saide Sir Herbert, his airis or assignez, to be distroubelit thrw me or myne airis, or ony [vtheris in] the saide landis or pertinencez, I oblis my landis of Grenan, liand within Glenken, the quhilk I halde in chefe of the forsaide Sir Robert of Max[well, and] al vthir mi landis and possessions, the quhilkis I hafe within the kinrike of Scotlande, to be distreignit, and al the profitis in his vse to be [uptaken] but oni leve of seculer or of hali kyrk, at the forsaide Sir Herbertis wil his airis or assignez, for a hundir mark, yhere be yhere, quhil it be als w[eil assi]thit and payit to the saide Sir Herbert, his airis or assignez, of al costis ganging betwene skathis and expensis, as of the principale det ; and that al thir [punc]tis, taillez and condicionis, sal leleli and treuli be kept, I oblis me, be my gude faithe, but fraude or gile, or ony excepcioun or demande. In the witnes of the quhilk thing I hafe put to my sele, at Dalswintoun, the tend dai of Auguste, the yhere of our Lord M^ccc four score and sex.

QUAS QUIDEM literas, concessionem, et impigneracionem in eisdem contentas, in omnibus punctis suis et articulis, condicionibus et modis ac circumstanciis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia, vt predictum est, approbamus, ratificamus, et auctoritate gubernacionis nostre regni predicti, durante tempore impigneracionis predictae, confirmamus, saluo domino nostro regi, et heredibus suis de predictis terris cum pertinentiis seruicio debito et consueto. In cuius rei testimonium, presenti carte nostre confirmacionis magnum sigillum officii nostri apponi precepimus : Testibus reuerendo in Christo patre, Gilberto episcopo Aberdonensi, cancellario Scoecie, Waltero comite Atholie et de Catnes, fratre nostro, Roberto Steuart de Fyfe, nepote nostro, Johanne comite Bucharie camerario Scoecie, filio nostro, Roberto de Maxwell de Caldorwod, milite, Johanne Steuart de Dernele, et Andrea de Hawik, rectore de Listoun, secretario nostro : Apud Perth, vicesimo tercio die mensis Nouembris anno Domini millesimo quadringentesimo quarto decimo, et gubernacionis nostre anno nono.

24. CONFIRMATION by GEORGE OF DUNBAR, EARL OF MARCH, of a Charter by John of Crechtoun, knight, granting to his brother HUMPHREY his lands of Bagthrop, the Byres and others. 1416.

OMNIBUS hanc cartam visuris vel audituris, Georgius de Dunbar comes Marchie, dominus Vallis Anandie et Mannie, salutem in Domino sempiternam : Noueritis nos vidisse et ad plenum intellexisse quandam cartam domini Johannis de Crechtoun, militis, domini eiusdem, factam Vmfrido de Crechtoun fratri suo, cuius tenor sequitur in hec verba :

OMNIBUS hanc cartam visuris vel audituris, Johannes de Crechtoun miles dominus eiusdem, salutem in Domino sempiternam : Nouerit vniuersitas vestra me dedisse, concessisse et hac presenti carta mea confirmasse, dilecto fratri meo Vmfrido de Crechtoun, pro suo homagio et seruicio, totas terras meas de Bagthrop, de le Byres, Scheipcotleys et Wyuterhop cum pertinentiis, iacentes in tenemento de Carrotheris infra vallem Anandie, per omnes rectas metas et diuisas suas, sicut iacent in lougitudine et latitudine, in moris, marresiis, aquis, stagnis, viis, semitis, pratis, pascuis et pasturis, turbariis,

petariis, cum fabrinis et bracinis, cum venacionibus, aucupacionibus et piscacionibus, cum libero introitu et exitu, in communi pastura, ac omni modis aliis libertatibus, commoditatibus et aysiammentis, tam non nominatis quam nominatis, tam sub terra quam supra terram, ad dictas terras spectantibus seu quoquo modo spectare valeutibus in futurum : Tenendas et habendas totas predictas terras in omnibus vt predictum est, de me et heredibus meis dominis de Carrotheris, predicto [Vmfrido] de Crechtoun fratri meo et heredibus suis libere, quiete, pleuarie, honoriifice, bene, et in pace, in feodo et hereditate sine aliquo retinemento in perpetuum : Volo insuper et concedo quod dictus Vmfridus et heredes sui sint liberi ad molendinum meum de Carrotheris ad moleudum blada sua post blada mea propria et heredum meorum, pro vna ferlota de celdra : Reddendo inde annuatim dictus Vmfridus et heredes sui michi et heredibus meis, dominis de Carrotheris, tres sectas curie ad tres curias capitales ibidem annuatim tenendas : predictus Vmfridus et heredes sui tenebunt totas predictas terras de me et heredibus meis predictis per wardam et releuium cum contigerint : Ego vero predictus Johannes et heredes mei predicti totas predictas terras de Bagthrope, de le Byres, Scheipcotleys et Wynterhope predicto Vmfrido et heredibus suis contra omnes mortales warautizabimus, acquietabimus et inperpetuum defendemus : In cuius rei testimonium huic presenti carte mee sigillum meum apposui : Hiis testibus dominis Vmfrido de Gardino, Johanne de Jonystoun, Wilelmo Siluester, militibus, magistro Alexandro de Crechtoun, Edwardo de Crechtoun domino de Sangwar, Johanne de Carrotheris et Thoma de Swynhope, cum multis aliis :

QUAM QUIDEM cartam in omnibus suis punctis et articulis et circumstanciis vniuersis, vt prescriptum est, approbamus, ratificamus, et pro nobis et heredibus nostris inperpetuum confirmamus, sub hac condicione, quod omnes terre, tenementa de Driuisdale cum pertinenciis, que sunt predicti domini Johanis sint semper per nos et heredes nostros distringende pro warda, releuio, maritagio et omnibus aliis seruiciis pro terris in ista carta contentis debitis et consuetis, quocienscunque et quauocunque nobis fuerit opportunum : In cuius rei testimonium sigillum nostrum presentibus est appensum : Hiis testibus, Patricio de Dunbarr fratre nostro, Roberto Mawtaland nepote nostro, Gilberto Heryngis consanguineo nostro, militibus, Alexandro de Riclyngtoun et Alexandro Frankis, cum multis aliis.

25. CHARTER by ARCHIBALD, FOURTH EARL OF DOUGLAS, LORD OF GALLOWAY AND ANNANDALE, to HERBERT OF MAXWELL, LORD OF CARLAVEROCK, of the lands of Grenane. 18th December 1419.

OMNIBUS hanc cartam visuris uel audituris, Archibaldus comes de Douglas dominus Galwidie et Vallis Auandie, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse et hac presenti carta uostra coufirmasse dilecto consanguineo nostro Herberto de Maxwell domino de Carlauerok omnes et singulas terras nostras de Grenane cum pertinenciis, jacentes in dicto dominio nostro Galwidie, infra constabulariam de Kircoubricht, iufra vicecomitatum de Drunfres ; que quidem terre cum pertinenciis alias fuerunt eiusdem Herberti, et quas idem Herbertus non vi aut metu ductus nec errore lapsus, sed sua mera et spontanea voluntate, per fustem et baculum nobis sursum reddidit pureque et simpliciter resignauit : Teuendas et habendas dictas terras de Grenane cum pertinenciis predicto Herberto, heredibus et assignatis suis quibuscunque, de nobis et heredibus uostris in feodo et hereditate inperpetuum, per omnes rectas metas . . . Reddendo inde annuatim dictus Herbertus, heredes et assignati sui, nobis et heredibus nostris pro dictis terris de Grenane cum pertinenciis, apud capitale messuagium earundem, vnum denarium argenti in festo Pentecostes nomine albe firme, si petatur tantum, pro

omni alio seculari seruicio, exactione, consuetudine seu demanda que de dictis terris cum pertinenciis per nos uel heredes nostros exigi poterunt quomodolibet uel requiri : Et nos prefatus Archibaldus comes, heredes et successores nostri, predictas terras de Grenane cum pertinenciis prefato Herberto, heredibus et assignatis suis, contra omnes mortales warentizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium presei carte nostre sigillum nostrum apponi fecimus, apud Lochmabane, decimo octavo die mensis Decembris anno Domini millesimo quadringentesimo decimo nono : Presentibus dilectis consanguineis nostris domino Herberto de Maxwell de Culnhath milite, Adam de Johnstone de eodem, Magistro Andrea Henrici rectore de Glenqwhym, Michaele de Daidson et Magistro Wilelmo de Foulis, secretario nostro, cum multis aliis.¹



26. CHARTER by MURDOCH, DUKE OF ALBANY, Regent, to HERBERT OF MAXWELL OF CARLAVEROCK, of the lands of Garnsalach and Dursqwen. 28th October 1420.

MURDACUS dux Albanie, comes de Fif et de Menteth ac gubernator Scocie, omnibus probis hominibus regni predicti clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Herberto de Maxwel de Carlanerok omnes et singulas terras de Garnsalach et Dursquen cum molendino eiusdem cum pertinenciis, iacentes in baronia de Dalswinton infra vicecomitatum de Drumfres : que quidem terre cum pertinenciis fuerunt Marie Steuart de Dalsuyntoun hereditarie, et quas eadem Maria non vi aut metu ducta uel errore lapsa, sed mera et spontanea voluntate sua ac pura uiduitate, in manus nostras per suas litteras patentes et procuratores per fustem et baculum sursum reddidit pureque simpliciter resignauit, ac totum jus et clameum que in dictis terris cum pertinenciis habuit uel habere potuit pro se et heredibus suis omnino quietum clamauit imperpetuum : Tenendas et habendas totas et integras prenominate terras cum pertinenciis prefato Herberto de Maxwel et heredibus suis de domino nostro rege et heredibus suis in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas una cum molendino predicto, ac cum omnibus aliis et singulis libertatibus, commoditatibus, asiamentis ac instis pertinenciis quibuscunque ad predictas terras et molendinum cum pertinenciis spectantibus, seu iuste spectare valentibus quomodolibet in futurum, adeo libere et quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia sicut supradictum est : Reddendo iude annuatim dictis Herbertus et heredes sui domino nostro regi et heredibus suis pro predictis terris de Garnsalach et Dursquen et molendino antedicto cum pertinenciis, unum denarium argenti in ecclesia de Kyrkmoqwo, in festo Sancti Kintigerni nomine albe firme, tantum, pro omni alio seruicio, exactione et demanda, si petatur, que de dictis terris cum pertinenciis exigi poterunt aut requiri : In cuius rei testimonium predictae carte nostre magnum sigillum officii nostri apponi precepimus : Testibus

¹ On 20th March 1419, Archibald Earl of Douglas granted a precept for infefting his beloved cousin, Herbert of Maxwell, Lord of Carlawerock, in the

lands of Grenane, in terms of the above charter.—
[Original Precept at Terregles.]

reuerendo in Christo patre domino Wilelmo episcopo Dunblanensi, Alexandro Stewart de Lenach filio nostro, Roberto Stewart de Lorn, Wilelmo de Lindesai de Rossi, Johanne Forestario de Corstorfin custode magni sigilli nostri, Roberto de Cunyngham de Kyrkmawris, et Alano de Otirburn secretario nostro, apud Edinburgh vicesimo octauo die mensis Octobris anuo Domini millesimo quadringentesimo vicesimo et gubernacionis nostre primo.

27. NOTARIAL TRANSMPT, dated 23d June 1458, of a CHARTER by KING JAMES THE FIRST, dated 4th May 1426, confirming Charter by Murdoch Duke of Albany, Regent, to HERBERT MAXWELL of Carlawerock, dated 28th October 1420.

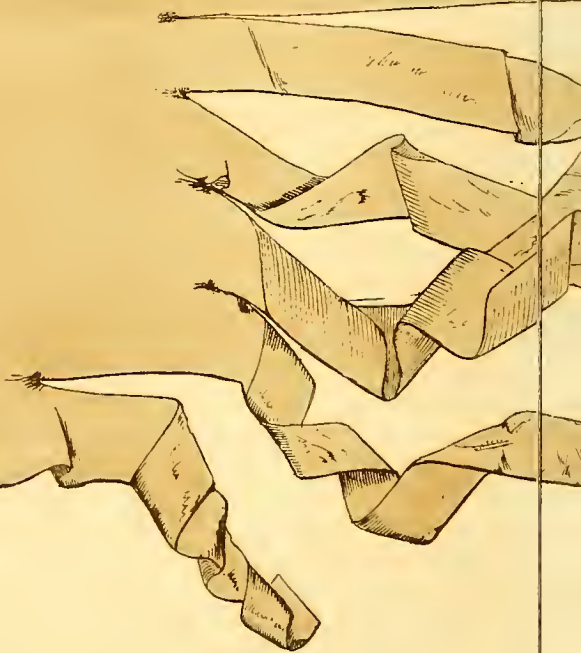
IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione eiusdem millesimo quadringentesimo quinquagesimo octauo, mensis Junii die vero vicesimo tercio, indiccione sexta, pontificatusque sanctissimi in Christo patris ac domini nostri domini Calisti diuina prouidencia pape tercii anno quarto [in] nostrorum notariorum publicorum ac testium subscriptorum presenciis personaliter constitutus, prouidus vir Daudid de Kirkpatrik, filius et apparens heres prouidi viri R[] de Kirkpatrik de Rocalhede, nomiue et ex parte nobilis domini Roberti domini Maxwelle, quandam cartam in percamino scriptam, sigillatam sigillo illustrissimi [princi]pis Jacobi regis Scotorum magnoque sigillo suo in alba cera rotundo nobis notariis subscriptis tradidit perlegendam, copiandam et transsumendam, et sub forma publica instrumentali redigendam, cuiusquidem tenor est talis : Jacobus Dei gracia rex Scotorum omnibus probis hominibus tocus terre sue, clericis et laicis, salutem : Sciatis nos quandam cartam dilecti consanguinei nostri quondam Murdaci ducis Albanie comitis de Fife et de Menteth tunc gubernatoris [nostri regni Scotie,] factam et concessam Herberto Maxwelle de Carlawerok militi, de omnibus et singulis terris de Garsalach et de Dursquen etc. [*Vide* No. 26, *supra*].

QUAM QUIDEM cartam . . . imperpetuum confirmamus, alba firma supradicta nobis et heredibus nostris duntaxat excepta : In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus : Testibus venerabili viro magistro Johanne Cameroun preposito ecclesie collegiate de Lincludane custode priuati sigilli nostri, Johanne Forstar de Corstorfin camerario nostro, Roberto de Lauredred de Basse justiciario, et Valtero de Ogilby de Luthrethine thesaurario regni nostri militibus, et magistro Eduardo de Landred archidiacono Laudonie, in ecclesia Sancti Andree apud Edinburch quarto die mensis Maii anno gracie millesimo quadringentesimo vicesimo sexto, et regni nostri, vicesimo primo.

SUPER QUIBUS omnibus et singulis actis, factis et recitatis antedictus Daudid a nobis notariis publicis subscriptis sibi peciit fieri publicum seu publica instrumentum seu instrumenta : Acta erant hec in villa de Dumfrece in aula Elesei M'Ilquourk, hora quasi prima post meridiem uel eo circa, sub anno, die, mense, indiccione et pontificatu quibus supra ; fratre Patricio Zare ministro de Houstoun, magistro Daudid de Hamiltoun vicario de Lochreutoun, Valtero de Maxwell, Herberto de Gledstanis, scutiferis, Eleseo M'Ilquourk et Thoma Rob, burgensibus, testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes M'Ilhauch, clericus Glasguensis diocesis, publicus auctoritate imperiali notarius [*etc., in forma communi*].

Et ego Thomas de Gilhagy, presbyter Glasguensis diocesis, publicus auctoritate imperiali notarius [*etc., in forma communi*].

[illegible]

28. RETOUR of the SERVICE of HERBERT OF MAXWELL, as heir to his father, Herbert of Maxwell, Lord of Carlaweroke, in the lands of Mekill Drrippis. 16th October 1421.

INQUISICIONE facta apud Kilbrid, coram domino Johanne de Montegomery, balliuo eiusdem, die Jonis, xvi die mensis Octobris, anno Domini, M^o cccc^{mo} xxi^{mo}, per hos probos subscriptos, videlicet, Johannem Lindsay, dominum Dunrod, Robertum de Lekprewik, dominum eiusdem, Joachimum de Lekprewikis, dominum de Lee, Adam More, dominum de Ewirechillis, Jorgium de Hamyltone, Johannem de Cochrane, Andream Flemyng, Jacobum de Pollok, Johannem Broun, Johannem Zong, Adam Donnynng, Willelmum Kere, et Johannem Lokarde, dominum de Bare : Qui iurati et diligenter examinati super articulis contentis in breui concluso, dicunt quod quondam Harbertus de Maxwell, dominus de Carlaneroke, pater Harberti de Maxwell, latoris presentium, obiit vestitus et saztus, ut de feodo, ad pacem et ad fidem domini nostri Regis, de terris de Mekill Drrippis cum pertinenciis, in baronia de Kilbryd, infra vicecomitatum de Lannark : Et dicunt quod dictus Harbertus, filius est legitimus et propinquior heres quondam domini Harberti patris sui, de terris de Mekill Drrippis, cum pertinenciis : Et quod est legitime etatis : Et quod dicte terre nunc valent per annum xx marcis, et tantum valuerunt tempore pacis : Et dicunt quod dicte terre tenentur in capite de domino de Kilbryd per forensicum seruitium : Et quod dicte terre nunc existunt in manibus domini nostri superioris, per recognicionem seriandi, ob causam mortis dicti domini Harberti de Maxwell a tempore decessus eiusdem : In cuius retornacionis testimonium sigillum balliui, vna cum sigillis eorundem qui dicte inquisicioni intererant faciente, est affixum, die, anno et loco supradictis.¹

29. PRECEPT by JAMES STEWART, Lord of Kilberde, for infefting HARBERT OF MAXWELL in the lands of Mekil Drrippis. 20th October 1421.

JAMYS STEWART, Lord of Kilberde, til a worschipful man, Sir Johne of Montegomorrie, lord of Ardrossane, our balze of the barony of Kilbride, gretyng : Wit ze vs to haf sene, vnderstand and admittit ane inquest takyu befor zow, of the landis of Mekil Drrippis, with the pertinentis lyand in the barony of Kilbrid forsaid, within the schirrafdom of Lanerk, on our behalf, as our-lard therof, tuchand to Harbert of Maxwele, the sone and ayr qwhilum of Sir Harbert of Maxwele, Lord of Carlaweroke : Qwharfor it is our wil, and we charge zow, thir letteris sene, without delay, at ze ger be geffin or gef sesyng to the said Harbert, or his attournay, of the said landis of Mekil Drrippis, with the pertinentis, in our name, lauchfully, saufand ilk maunys richt, efter the forme of the inquest therof tane : In the witnes of the qwhilk thing to thir present letteris our sele is to put, at Lanark, the twenty day of the moneth of October, the zer of our Lord I^m cccc twenty and ane.²

30. SASINE of HERBERT OF MAXWELL, Lord of Carlawerok, in the lands of Garnsalauch and Dusqwen. 18th November 1421.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione eiusdem millesimo quadringentesimo vicesimo primo, die vero decimo octavo mensis Nouembris, indiccione decima quinta, pontificatus sanctissimi in Christo patris ac domini, nostri domini Martini diuina prouidencia pape quinti anno quarto, in mei notarii publici et testium

¹ From the Original Retour in the Ardgowan Charter-chest. [Lithographed.]

² From the Original Precept in the Ardgowan Charter-chest.

subscriptorum presencia personaliter constitutus potens dominus Herbertus de Maxwel, dominus de Carlauerok, apud molendinum de Dusqwen, quandam literam de sasina capelle regie Stephano Simondsoun seriando domini regis vallis de Nytht propria manu presentauit, ac michi notario antedicto tradidit perlegendam, qua quidem litera [in] presencia multorum nobilium circumstancium publice perlecta, predictus Stephanus seriandus domiui regis dedit sasinam et statum hereditarium dicto Herberto domino de Carlauerok de terris de Gamsalauch et Dusqwen cum earundem pertinentiis, jacentibus infra vicecomitatum de Drumfres : Super quarum terrarum sasine donacionem per dictum Stephanum seriandum ac per eundem dominum de Carlauerok sasine et status hereditarii capcionem dictus dominus de Carlauerok a me notario publico infrascripto sibi fieri peciit publicum instrumentum : Acta fuerunt hec, auno, die, mense, indicione et pontificatu supradictis, presentibus nobilibus viris et discretis Herberto de Maxwell milite, domino de Collynhath, Rogero de Kyrkpatrik, Georgio de Corry, Wilelmo de Maxwel, Aymero de Gledstansys, Thoma de Kyrkpatrik scutiferis cum multis aliis fidedignis testibus ad premissa vocatis specialiter et rogatis.

Et ego Wilelmus Scot presbyter Glasguensis dyocesis auctoritate imperiali notarius publicus, premissis [*etc., in forma communi*].

31. NOTARIAL INSTRUMENT on the impledging of the lands of Nether Drippis to
HERBERT OF MAXWELL, Lord of Carlaue-rock. 29th July 1422.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno ab Incarnacione Domini millesimo cccc^{mo} xxii^o, iudictione xv^a, pontificatus sanctissimi in Christo patris ac domini uostri, domiui Martini diuina prouidencia pape quinti anno quinto, in uei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis vir, Herbardus de Maxwel domiuius de Carlaue-ro, in consilio generali tento apud Streveling xxix^o die mensis Julii anno Domini millesimo cccc^{mo} xxii^o, peciit terras suas de Nethir Dryppis ad plegium alias per dominum gubernatorem Scocie recognitas : Et incontinenter Wilelmus de Maxwel, tutor legitimus heredis quondam domini Roberti de Maxwel, domini de Caldorwode, manifestauit coram dicto domino gubernatore et suo dicto consilio, quod cognouit dictum Herbardum dominum suum superiorem dictarum terrarum de Nethir Dryppis : Tunc predictus dominus gubernator, ex deliberacione dicti consilii, dedit predictas terras de Nethir Dryppis cum pertinentiis ad plegium predicto Herbar-do, prout in hoc casu postulat ordo iuris : de quibus quidem manifestatione et ad plegium dacione predictus Herbardus peciit a me notario publico sibi fieri publicum instrumentum : Acta fuerunt hec in dicto generali consilio, in domo mansionis vicarii de Streveling ; presentibus, eccellente principe Waltero Senescallo de Fyf, Leuenax et Menteth, reuerendis in Christo patribus, dominis episcopo Sanctiandree, episcopo Glasguensi cancellario Scocie, episcopo Duublanensi, magnificis dominis, dominis Duncano comite de Leuenax, Alexandro comite de Marr, Duncano Cambel, domino de Ergevil, domino Willelmo domino de Grame, domino Roberto domino de Erskyne, pluribusque aliis ad premissa testibus vocatis specialiter et rogatis.

Et ego Willelmus de Cranystoun, clericus Sanctiandree diocesis [*etc., in forma communi*].¹

¹ [Original Instrument in Mearns Charter-chest at Ardgowan.] On 5th February 1423, Sir John Maxwell granted a charter to his uncle, William

Maxwell, which was confirmed by Crown charter, dated 26th July 1424.—[Reg. Mag. Sig., Lib. ii. No. 4.]

32. CHARTER by THOMAS SOMERVILLE, Lord of Carnwyth, to ROBERT OF MAXWELL, son of Herbert of Maxwell, Lord of Carlaverok, and to JANET, daughter of John Forstar of Corstorphine, of the lands of Liberton. 13th January 1424.

OMNIBUS hanc cartam visuris vel auditoris, Thomas Somervil dominus de Carnwyth, salutem in Domino sempiternam : Sciatis me dedisse, concessisse et hac presenti carta mea confirmasse dilecto consanguineo meo Roberto de Maxwel filio et heredi domini Herberti de Maxwel, militis, domini de Carlauerok, et Jonete filie domini Johannis Forstar militis, domini de Corstorfyne, omnes et singulas terras meas de Libertoun cum pertinenciis, vna cum tenandis et tenandriis ac seruicio libere tenencium, jacentes in baronia de Carnwyth infra vicecomitatum de Lanryk ; quequidem terre fuerunt dicti domini Herberti, et quas idem dominus Herbertus, non vi nec metu ductus nec errore lapsus, sed mera et spontanea voluntate sua, mihi in presencia plurium per fustem et baculum sursum reddidit, pureque simpliciter resignauit, ac totum jus et clameum que idem dominus Herbertus in eisdem terris habuit uel habere potuit quomodolibet in futurum : Tenendas et habendas dictas terras de Libertoun cum pertinenciis ac tenandos et tenandrias et seruicium libere tenencium predictis Roberto et Jonete ac eorum dincius viuenti, et heredibus suis masculis inter ipsos legitime procreandis ; quibus forsan deficientibus, predicto domino Herberto et heredibus suis masculis de corpore suo legitime procreatis seu procreandis ; quibus forte deficientibus, Amero de Maxwel fratri predicti domini Herberti et heredibus suis masculis de corpore suo legitime procreatis seu procreandis ; illis omnibus deficientibus, veris legitimis et propinquiorebus heredibus ipsius domini Herberti quibuscunque, de me et heredibus meis in feodo et hereditate imperpetuum, per omnes rectas metas . . . adeo . . . libere . . . sicut dictus Herbertus aut predecessores sui prenominate terras de Libertoun cum pertinenciis ante dictam resignacionem mihi inde factam de me uel antecessoribus meis tenuit uel possedit, tenuerunt nel possederunt : Et si contingat dictum Robertum ante matrimonii consummacionem inter ipsum et Jonetam, quam, duce Domino, ducet in vxorem, viam vniverse carnis ingredi, volo quod predictae terre de Libertoun cum pertinenciis reuertantur ad predictum dominum Herbertum et heredes suos antedictos ; saluo tamen quod prenominate terre de Libertoun cum pertinenciis tenandi et tenandrie ac seruicium libere tenencium cum predicto domino Johanne Forstar, heredibus suis seu assignatis, libere remaneant, donec et quousque eidem uel eisdem quedam summa pecunie integre persoluatur in forma et effectu, prout in endenturis inter prefatos dominos Johannem et Herbertum inde confectis plenius continetur : Reddendo inde annuatim dicti Robertus et Joneta et eorum dincius viuens, ac heredes sui supradicti, mihi et heredibus meis seruicium debitum et consuetum, sicut dictus dominus Herbertus et predecessores sui mihi et predecessoribus meis in preterito reddiderunt : et ego prefatus Thomas et heredes mei dictas terras de Libertoun cum pertinenciis ac tenandos et tenandrias et seruicium libere tenencium predictis Roberto et Jonete et eorum dincius vinenti et heredibus suis supradictis, necnon et prefato domino Johanni Forstar, in hac forma que premittitur, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium sigillum meum presenti carte est appensum, apud Edinburgh decimo tercio die mensis Januarii anno Domini millesimo quadringentesimo vicesimo quarto, presentibus et pro testibus personaliter apprehensis in presencia excellentissimi principis Jacobi Dei gracia regis Scotorum, Waltero comite Atholie, Alexandro comite de Mar et de Garyach, et Willelmo comite Orcadic, Jacobo de Dowglas domino de Balwane, domino Thoma Senescalli filio comitis de Mar, Alexandro de Lewynstoun de Kalendar, et multis aliis.

33. CONFIRMATION by POPE BENEDICT THE THIRTEENTH, of a Charter by Thomas Bishop of Galloway granting the church of St. Colmanel of Butyll to the ABBEY OF SWEET HEART, and of a Charter by Archibald Earl of Douglas, transferring his right of patronage of that church to the Abbey. ~~1413-1424~~ 1389-1400 (37861)

BENEDICTUS episcopus, seruus seruorum Dei, ad perpetuam rei memoriam: Sincere deuotionis affectus quem dilecti filii abbas et conuentus monasterii de Dulcicorde, Cisterciensis ordinis, Glasguensis diocesis, ad nos et Romanam gerunt ecclesiam promeretur ut petitionibus suis, quantum cum Deo possumus, fauorabiliter annuamus: exhibita siquidem nobis pro parte dictorum abbatis et conuentus peticio continebat quod olim venerabilis frater noster Thomas episcopus Candidecase, de consensu dilectorum filiorum capituli Candidecase, parrochiam ecclesiam Sancti Colmanelli Candidecase diocesis eidem monasterio propter ipsius urgentem necessitatem incorporauit, annexuit et uiuuit; quodque postmodum incorporacio, annexio et unio huiusmodi suum debite sortite fuerunt effectum, et quod dilectus filius nobilis vir Archebaldus comes de Douglas ius patronatus quod sibi in dicta parrochiali ecclesia tunc competeat eidem abbati et conuentui concessit et donauit, prout in quibusdam inde confectis litteris sigillis ipsorum episcopi et comitis sigillis munitis latius continetur: quare pro parte dictorum abbatis et conuentus nobis fuit humiliter supplicatum ut incorporacioni, annexioni, vnioni, donationi et concessioni huiusmodi robur confirmacionis adicere, et omnes defectus, si qui forsitan interuenerint in eisdem, supplere de benignitate apostolica dignaremur: Nos igitur huiusmodi supplicationibus inclinati, annexionem, incorporacionem et unionem, ad instar felicitis recordationis Clementis Pape VII predecessoris nostri qui eas confirmauit, necnon concessionem et donationem predictas, et quecumque inde secuta rata et grata habentes, illa apostolica auctoritate ex certa sciencia confirmamus et presentis scripti patrocinio communimus, supplentes omnes defectus, si qui forsitan interuenerint in eisdem: tenor uero dictarum litterarum talis est:

UNIERSIS sancte matris ecclesie filiis presentibus et futuris presentes literas inspecturis, Thomas miseratione diuina Candide Case episcopus, eternam in Domino salutem: Ad uestram uolumus peruenire uniuersalem noticiam nos, diuine caritatis atque pietatis intuitu et causa pure elemosine, habito tractatu, ex unanimi et expresso consensu et assensu capituli nostri Candide Case et cleri eiusdem, concessisse, assignasse et presenti scripto nostro, auctoritate nostra episcopali, pro nobis et successoribus nostris confirmasse, appropriasse et uniuisse religiosiis uiris abbati et conuentui de Dulci Corde, ordinis Cisterciensis in Glasguensi diocesi, et eorum successoribus in perpetuum, ob urgentem necessitatem et notoriam paupertatem, ac eorum reddituum tenuitatem et exilitatem et oppressionem euidentem eiusdem monasterii ex fulgure aeris totaliter combusti, in confinibus regnorum Scoeie et Anglie situati ubi magne depopulaciones multociens acciderunt, parrochiam ecclesiam Sancti Colmanelli de Botyll nostre diocesis, liberam et uacantem per mortem domini Downaldi Macindoli ultimi rectoris eiusdem, que ex dono nobilis et potentis domini Wilelmi comitis de Douglas et de Marr et domini regalitatis baronie de Botyll in Galwydia de eorum patronatu existit, procurante et intercedente eccellente et potente viro domino Archebaldo de Douglas domino de Galwydia, eiusdem monasterii fundatore ac reformatore, cum magna diligentia pluries rogando, precibus postulante instantissimis quod eandem ecclesiam eidem Abbati et conuentui in proprios usus graciose concederemus; uos deuocionem quam dictus dominus Galwydie erga Deum et sanctam religionem concepit tam laudabilem et conceptam non desiuit confouere, necnon dictorum religiosorum plures calamitates et miserias pro reparacione dicti monasterii combusti quas sustinuerunt laborando propensius considerantes, et quam maxime qui non uenimus soluere legem sed adimplere et perficere pro posse siquidem boni operis a nostris predecessoribus dimittebatur minus perfectum, pie attendentes magnam deuocionem qua bone memorie

motus dominus Adam predecessor noster, ad instanciam dicti magnifici domini Galwydie et aliorum virorum ualentium de patria, prefatam ecclesiam de Botyll, eo decedente seu alias promotio qui protunc dictam ecclesiam possidebat, antedictis abbati et conuentui prefati monasterii in proprios usus, presentibus multis tam laicis quam clericis, gracie concessit, prout ex relatione fidelignorum intelleximus euidenter, licet ipse, de quo dolendum reputina morte sit preuentus et de hoc medio sublatus antequam instrumenta conficerentur sigilli sui munimine ualidata, prout de hiis omnibus et circumstantiis, uocatis de iure uocandis, per inquisitionem sufficientem in forma iuris coram nobis extitit plenarie facta fides, in usus ipsorum proprios et perpetuos suisque successoribus perpetuo proficiendam, pro nobis et successoribus nostris, cum omnibus et singulis suis iuribus, fructibus, obuentibus et pertinentiis uniuersis, tam rectorie quam vicarie, ad dictam ecclesiam quoquomodo de iure uel de facto spectantibus, pertinentibus, seu pertinere ualentibus, ad ipsorum et monasterii predicti releuamen, et sustentacionem pauperum, peregrinorum et hospitum ad ipsum monasterium indies confluencium, secundum quod facultates sue suppetunt et requirunt, susceptiorem : cuius quidem ecclesie de Botyll possessionem corporalem prefati Abbas et conuentus, concurrentibus omnibus que de iure requirebantur in hac parte, auctoritate ordinaria sunt assecuti pacifice et quiete, eamque sic assecutam legitime possident, et eos religiosos in eadem ecclesia de Botyll canonicè instituiimus, auctoritate nostra pontificali solempniter induximus in preuenti : Volumus insuper et sane ordinamus quod ad vicariam ecclesie predictæ, cum ipsam vacare contigerit, predicti abbas et conuentus nobis et successoribus nostris personam ydoneam debeant presentare, qui cultum diuinum et curam animarum committendarum competenter, prout decet, ualeat exercere et laudabiliter supportare ; pro cuius sustentacione perpetuo duratura ordinamus quod dictus vicarius annuatim percipiat de abbate et conuentu prenotatis, in ecclesia sua de Botyll, decem marcas sterlingorum ad duos terminos cuiuslibet anni usuales, uidelicet, unam medietatem in festo beati Martini, et aliam medietatem in festo Pentecostes proximo sequentis : Volumus siquidem quod ultra dictam pensionem decem marcharum prefatus vicarius habeat terram ad ecclesiam spectantem secundum antiquas suas diuisiones, cum medietate prati, pascue et pasture ; alia uero medietas cum ortolico et antiquo manerio rectoris remaneat dictis abbati et conuentui : Insuper de ordinariis uidelicet procuracionibus episcopalibus, archidiaconalibus et synodalibus persoluentibus pro loco et tempore uolumus abbatem et conuentum totaliter onerari : de repetitis exactionibus per papam seu de consensu cleri Candidecase cum consensu episcopi eiusdem loci constitutis uolumus et ordiuimus quod sepedictus vicarius respondeat pro rata portionis, deductis tamen quinque marcis pro communi salario sacerdotali : Nolumus tamen per concessionem premissorum in aliquo iuri nostro episcopali derogare : et ad rei geste perpetuam memoriam secundum formam suprascriptam, hanc concessionem nostram uolentes habere firmitatem, eam auctoritate nostra pontificali confirmamus et sigilli nostri appensione, cum sigillo capituli nostri Candidecase, unacum sigillis venerabilium patrum Thome abbatis de Dundranan, Gilberti abbatis de Tongland, Stephani prioris Insule beate Marie, officialis nostri, Ade abbatis de Glembays communimus : Hec acta et scripta fuerunt in choro parochiali ecclesie de Kyrmissi. xvj^{mo} die mensis Julii anno Domini millesimo ccc^{mo} lxxx^{mo} primo, et consecrationis nostre anno secundo.

OMNIBUS Christi fidelibus hanc cartam visuris vel audituris, Archebaldus comes de Douglas dominus Galwydie et baronie de Butyll, salutem in Domino sempiternam : Nouerit vniuersitas uestra nos dedisse, concessisse, et hac presenti carta nostra confirmasse Deo et beate Marie uirgini et omnibus Sanctis, necnon Abbati et conuentui monasterii de Dulci Corde, ordinis Cisterciensis, Glasguensis diocesis, ibidem Deo seruientibus et imperpetuum seruituris, pro salute anime nostre et anime Johanne sponse nostre, et pro salute animarum domini Jacobi de Douglas patris nostri, et matris uostre, ac pro salute Archebaldi et Jacobi filiorum nostrorum, et filiarum, parentum et amicorum nostrorum, antecessorum et successorum nostrorum, necnon et pro animabus omnium fidelium Christianorum, aduocacionem ecclesie Sancti Colmaneli de Butyll Candidecase diocesis, et totum ius patronatus eiusdem, cum suis iuribus et pertinentiis uniuersis, quod habuimus vel habere potuimus in eadem :

Tenendum et habendum totum ius patronatus ecclesie eiusdem cum pertinenciis predictis abbati et conuentui qui pro tempore fuerint, de nobis et heredibus nostris, in puram et perpetuam elemosinam, cum omnibus suis libertatibus, commoditatibus et aysyamentis ad dictum patronatum ecclesie spectantibus seu spectare ualentibus in futurum, adeo libere, quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut aliquod ius patronatus ecclesie in regno Scocie liberius, quietius et honorificencius datur, conceditur seu possidetur, sine aliquo retinemento imperpetuum : In cuius rei testimonium presei carte nostre sigillum nostrum apponi precepimus, xxiii die mensis Augusti anno Domini millesimo ccc^{mo} nonagesimo septimo.

NULLI ergo omniu hominum liceat hanc paginam nostre confirmacionis et suppletionis infringere uel ei ausu temerario contrauenire : Si quis autem hoc attemptare presumpserit, indignationem omnipotentis Dei et beatorum Petri et Pauli apostolorum eius se nouerit incursurum : Datum apud Pontensorgie, Auinionensis diocesis, iiii idus Januarii, pontificatus uestri anno quarto.

34. CHARTER by GEORGE OF DUNBAR, EARL OF MARCH, to his son, ARCHIBALD OF DUNBAR, of the lands of Wester Spot. 8th March 1425.

OMNIBUS hanc cartam visuris vel auditoris, Georgius de Dunbar comes Marchie, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse carissimo filio nostro Archibaldo de Dunbar, totas et integras terras nostras de Westir Spot cum pertinenciis, jacentes infra regalitatem de Dunbar : Tenendas et habendas totas et integras predictas terras de Westir Spot cum pertinenciis predicto Archibaldo et heredibus suis quibuscunque, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas antiquas et diuisas suas, in viis, semitis, moris, marresiis, petariis, turbariis, aquis, stagnis, boscis, planis, brueriis et genestis, pratis, pascuis et pasturis, molendinis et multuris, aucupacionibus, ueuacionibus et piscacionibus, cum libero introitu et exitu, cum curiis et curiarum exitibus, eschaetis, herzeldis, bludwetis et marchetis mulierum, cum fabriuis, brasinis, pomeriis, columbariis et carbonariis, cum lapide et calce, ac eciam cum omnibus aliis et singulis commoditatibus, libertatibus et aisiamentis ac iustis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, tam procul quam prope, ad dictas terras spectantibus seu quomodolibet spectare valentibus in [futurum], libere, quiete, plenarie, integre, et honorifice, bene et in pace, sine aliquo retenemento vel reuocacione aliquali : Reddendo inde [annuatim] predictus Archibaldus et heredes sui nobis et heredibus nostris vniam rosam rubeam ad festum natiuitatis sancti Johannis Baptiste, super solum dictarum terrarum, nomine albe firme si petatur tantum, pro omnibus aliis seruiciis secularibus exaccionibus et demandis que de dictis terris cum pertinenciis per nos vel heredes nostros exigi poterunt quomodolibet vel requiri : Et nos vero predictus Georgius et heredes nostri predictas terras de Westir Spot cum pertinenciis predicto Archibaldo et heredibus suis, in omnibus et singulis vt superius est expressum, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium huic presenti carte nostre sigillum nostrum est appensum, apud Dunbar, octauo die mensis Martii anno Domini millesimo quadringentesimo vicesimo quinto ; hiis testibus, dominis David de Dunbar fratre nostro, Patricio de Dunbar auunculo nostro, Roberto de Lawedre, militibus, Georgio de Dunbare filio nostro, Patricio de Dunbar de Bcle, Alexandro de Home, Patricio Heryng, David de Home et multis aliis.

35. VERDICT of an ASSISE on the claims to the lands of Maxwellland at Pencaitland between SIR HERBERT OF MAXWELL, Knight, Lord of Carlawerok, and JOHN THE SANCCLER, Lord of Hyrdmanstoun. 2d June 1428.

It is to haffe in mynde that the Wedynisday the secwnde day of the moneth of Junii, the zer of our Lord a thousand foure hundreth twenty and aucht zeiris, comperyt in the Tolehuthe of Edinburch a notabill lorde and a mychty, Schir Herbert of Maxwile, knyght, Lord of Carlawerok, and wyth hym of consale a worschipeful and a mychty Lorde James of Douglas, Lord of Balwany, and hys forspecarris, Johne of Santmechale and Robert of Dalzele on the ta parte, and Johne the Sanccler, Lord of Hyrdmanstoun, and tenand to the sayde Schir Herbert, of parte of the landis of Pencatillande, wyth hys consale, Schir Adam of Hebburne, Lord of Halys, Lowrance of Abyrnethy, Lord of Saltoun, Symonde Logane, and Alexander of Hebburne, forspecar til the sayd Johne Sanccler on the tother parte, wpoun the condicione of ane endenture made hetwix the sayd parteis, and seillit wndyr the seile of the sayd Johne Sanccler, on the ta parte, and the seile of Walter of Dalzele, procnryt be the sayd Schir Herbert, on the tothyr parte, the tenor of the qwyk endenture folowis in thyr wordis, that is to say :—

THIS Endentur, made at Edinburgh the nyntende day of the moneth of Januar, in the zeir of our Lord a thousand four hundreth twenty and sewyn zer, hetwix ane worschipeful and ane honorabill man, Schir Herbert of Maxwile, knyght, and Lorde of Carlawerok, on the ta parte, and Johne the Sanccler, Lord of Hyrdmanstoun, on the tother parte, proportis and berris witnes that it is accordyt betwix the sayde parteis in maner and forme as eftir folowis ; that is to say, that the sayd Schir Herbert sal gyffe ane assise to the sayde Johne Sanccler of thyre tenandriis wndyr wrytin, that is to say, the Maxwileland and Bekyrtonulande, lyand in the town of Pencatillande, qwethyr thai aucht of rycht to be halden of the Lordis of Maxwile, as barwnys of Pencatillande, or ware haldyn ony tyme of the sayde Lordis be other tenandis na ony off Dame Mergrettis Sanccleris predcessouris, and gyffe it swa beis fwndyn be that assise that thai ware haldyn and awcht of rycht to be haldyn of the sayd Lordis of Maxwile, swa thai sall remayne foroutyn ony clame or questione of the sayde Johne Sanccler or of ony in hys name for enermare in tyme to cum, and this conditioun in this endenture contenyt and wrytin sal lelyly and trewly, but frawde or gyle, wyth the sayde parteis be kepyt and fulfyllt, the sayde parteis has gyffn othyr thaire trouthis : and for the mair witnessyng and sekynes, to the parte remaynand wyth the sayd Schir Herbert, the sayde Johne Sanccler has sete the seile of hys armys, and to the parte remaynand wyth the sayde John Sanccler, the sayde Schir Herbert, in absens of hys awn seile, he has procuryt the seile of ane honorabill man, Walter of Dalzelle, Lord of Carlowry, to be sete, day, zeir, and place before wrytin, befor thyr witnesses, Schir Herbert of Maxwile, knyght, and Lord of Collynhathe, Robert of Dalzelle, Thomas the Grame, George Sanccler, and mony othyr.

Eftir the redyng of the qwyk endenture thair was ane assise of rycht chosyn, wyth full consent and assent of bathe the parteis, of thyre personis wndyr wrytin, that is to say, Schir William of Prestoun, Schir Johne of Carlyle, Schir Herbert of Maxwile of Collynhathe, knyghtis, William Gardyng, Robert the Grame, Thomas the Grame, John the Grame, Walter of Twedy, James of Lawedyr, Johne of Fawsyde, James Heryothe, Alane of Farnyle, William Corour, Forstare, Robert of Nudre, Patryke Kokburne, James Hoyme and Willzame of Leremonth : the qwyk assise, the grete athe sworne, war chargit for to determyne the rycht, efter the tenor of the sayde endenture, qwethyr Schir Herbert of Maxwile had mair rycht in and to the

two tenandriis lyand in the westir town of Pencatilland, the tane callyt Maxwilelande and the tother Bekyrtounlande, or the sayde Johne Sanccler: And eftir mony argumentis, allegeance awayis and altercacionis made on bathe the sydys be thair forspecarris, the parteis passit furth out of the court, the assise remaynit stil in the Tolebuthe, the qwyk assise, eftir the determinatioun of thair rype awisement, gert call and inbryng the sayde parteis agayne, layde thair speche on Robert the Grame for to gyfe furth the determinatioun of thair decret, the qwyk Robert sayde in thyre wordis and termys: This assise byddis me say that Schir Herbert of Maxwile has mare rycht iu and to the two sayde tenandries of Maxwileland and Bekyrtounlande than the sayde Johne Sanccler, saffande alsmekeyll of Bekyrtounlande as is haldyn of the tempill of Sant Johne: In witnes of the qwyk thyng to this present wryte and deliuerance the seillis of parte of thaim that passyt on the sayde assise ar hungyn, day, zer and place forsayde.¹

36. RENUNCIATION by ELIZABETH OF CRAUFURDE OF DUCHRA, and Lady of Kyrkpatric, of the lands of Kyrkpatric. 30th April 1433.

UNIERSIS ad quorum noticiam presentes litere peruenerint, Elisabeth de Craufurde de Duchra et domina de Kyrkpatric, salutem in omnium Salvatore: Nouerit vniuersitas vestra me, non vi aut metu ductam, nec errore lapsam, sed mera et spontanea voluntate mea, sursum reddidisse ac per fustem et baculum et has literas meas resignacionis pureque et simpliciter resignasse omnes et singulas terras meas de Kyrkpatric cum pertinenciis, iacentes infra vicecomitatum de Drumfrese, in manus excellentissimi principis ac domini, nostri domini Jacobi Dei gracia regis Scotorum illustris ac domini mei superioris dictarum terrarum cum pertinenciis, ac totum ius et clameum, proprietatem et possessionem, que vel quas in eisdem terris cum pertinenciis habui, habeo vel quouismodo habere potero, pro me et heredibus meis imperpetuum quittum clamo per presentes: Ita quod nec ego nec heredes mei, nec aliquis nomine nostro, aliquod ius vel clameum, proprietatem vel possessionem in dictis terris cum pertinenciis nec in aliqua parte earundem aliquallyter vendicare potero vel poterint in futurum, sed ab omni iuris titulo tam petitorio quam possessorio simus imperpetuum exclusi et absoluti penitus et omniu per presentes: In cuius rei testimonium sigillum meum presentibus est appensum, apud Duchra, vltimo die mensis Aprilis anno Domini M^o cccc^o tricesimo tercio.

37. CHARTER by JOHN HERYS, Lord of Terregles, to his uncle, ROBERT HERYS, of the lands of Myrton, in the shire of Wigton. 6th July 1444.

OMNIBUS hanc cartam visuris vel audituris, Johannes Herys dominus de Traregillis, salutem in Domino sempiternam: Noueritis me dedisse, concessisse et hac presenti carta mca confirmasse dilecto et fideli auunculo meo Roberto Herys, pro suis seruicio, humagio, consilio, auxilio et fanore michi impensis et impendendis, omnes et singulas totas terras meas de Myrton, iacentes in vicecomitatu de Wigton, excepta vna marcata terrarum de qua situatur principale messuagium, cum pertinenciis, predicto Roberto, heredibus suis et assignatis, a me, heredibus meis et assignatis, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, iu boscis, planis, siluis, moris, marresiis, pratis, pascuis et pasturis, molendinis et multuris, in viis, semitis, aquis, stagnis, riuolis, cum petariis,

¹ Tags for eight seals are attached, but only two of the seals now remain.

turbariis et carbonariis, cum fabrilibus, pistrinis et brasinis, cum curiis et curiarum exitibus, cum communi pastura et libero introitu et exitu, cum lapide et calce, cum aucupacionibus, venacionibus et piscacionibus, ac cum omnibus aliis libertatibus, commoditatibus et asiamentis ac iustis suis pertuenciis quibuscunque, tam non nominatis quam nominatis, tam prope quam procul, tam subtus terra quam supra terram, ad dictas terras cum pertinenciis quibuscunque spectantibus seu iuste spectare valentibus quomodolibet in futurum, libere, quiete, honorifice, bene et in pace, in omibus et per omnia ut premittitur, sine aliquo retinemento aut obstaculo quocunque : Reddendo inde annuatim dictus Robertus heredes sui vel assignati, michi et heredibus meis et assignatis, seruitium debitum et consuetum : Et ego vero predictus Johanues et heredes mei vel assignati predictas terras de Myrton cum pertinenciis predicto Roberto, heredibus suis vel assignatis, contra omnes mortales varantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium sigillum meum presentibus est appensum, apud Treagillis, sexto die mensis Julii anno Domini millesimo quadringentesimo quadragésimo quarto.

38. INSTRUMENT OF PERAMBULATION of the Marches of the lands of Ardes. Dated
11th July 1448.¹

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod ab anno Domini millesimo cccc^{mo} XLVIII^o, die vero xi mensis Julii, indictione xi, pontificatus sanctissimi in Christo patris ac domini nostri, domini Nicholai diuina prouidencia pape quinti, anno secundo, in mei uotarii publici et testium subscriptorum presencia personaliter constituti venerabilis in Christo pater, dominus Willelmus, abbas monasterii beate Marie de Dulci Corde, pro se et contentu eiusdem loci, ex parte una, et Amerus de Maxwell, eo tempore dominus de Kirkcounale, parte ex altera, legitime citati, et in iudicio comparentes, pro declaratione cuiusdam brevis perambulacionis marchiarum, metarum ac dinisarum terrarum, sabuli et aquarum dulcium et salinarum dicti monasterii de Minore Arde, necnon de aliis suis terris dicto monasterio pertinentibus, ex parte una, et merchiarum, metarum et diuisarum Ameri de Maxwell de Maiore Arde, necnon et de terris de Kirkcounale, dicto Amero tunc temporis domino eiusdem pertinentibus, ex parte altera, coram Alexandro Mur, tunc temporis iusticiario magnifico et potestis domini, domini Willelmi comitis de Douglas et Anandale ac domini Galvidie, in hac parte, ut in commissione sibi iude confecta clare constabat documento : Quicquidem Alexander Mur iusticiarius, bonam et fidelem assisam proborum et fidelium, de utriusque partis consensu, virorum in assisam eligi fecit, ac, magno sacramento mediante, pro predicti brevis perambulacione iuridice facienda oneravit, quorum hec nomina sunt, videlicet, Donaldus de Leuax de Caly, Willelmus Grerson de Daltoun, Fergusius M'Nauch de Culcounady, Amerus de Gledstanis de Lethleu, Eustaseus Maxwell de Collinhath, Thomas Corry de Keldvod, Jacobus Porter de Duchray, Danid de Murrauf senior, Johannes M'Nauch de Cragow, Johannes M'Lelau de Borownes, Johanues M'Lelan de Louchfergus, Robertus Asloau de Garrauch, Florentinus de Murranfe, Jacobus de Gledstanis, Johannes de Carnis clericus, Andreas Grersoun, Johannes Nelsoun de Korsok, Robertus de Gordonn, Gilbertus Ahannay, Johannes Durand, et Johannes Batesonne : Quequidem assisa bene consultata et fideliter ausata, dixit, decreuit et finaliter deliberavit ac declaravit has diuisas ; scilicet, sicut unum sicutum decurrit in ly Blakpoll ex parte aquilonali de Knokmor, et per idem sicutum ascendendo usque ad Gillesroun, et ex parte aquilonali

¹ From the Original Instrument at Kirkconnell.

de Cateraggis, et sic ascendendo per unum siketum, in quo ponuntur congeries lapidum, usque ad angulum de Stanypoll, et sic per congeries ascendendo et descendendo usque ad caput alterius siketi, quod descendit in posteriore : Eadem etiam assisa bene consultata et fideliter ausata, dixit, decrevit et per os prefati Johannis de Carnis declaravit, et finaliter deliberavit has metas et divisas, scilicet, ab uno siketo quod descendit de ly Kers, terra scilicet prefati monasterii a sua primaria fundacione, quod siketum descendit in posteriore, et a prefato siketo ubi intrat in posteriore directe in aquam de Nyth, et per aquam de Nyth directe in alteram partem, usque ad quoddam signum ab assisa vulgariter vocatum a conwit callit tre lovtande to the wode : Et ibi decretum est crucem lapideam per consensum domini fundi collocari : Insuper dominus Abbas cum instantia procuravit, pro maiore verificatione ac documento dictarum merchiarum et metarum, sigillum domini Herberti de Maxwell de eodem, militis, unicum sigillo venerabilis in Christo patris, domini Wilhelmi, abbatis Monasterii beate Marie de Dundranan, cum sigillo Alexandri Mur, iudicis in causa, in caudis pendentibus imponendum, cum sigillis quorundam qui dicte assise interfuerunt : Super quibus omnibus et singulis, sic factis, actis, gestis et inuentis, prefatus venerabilis in Christo pater, dominus Willelmus, abbas Monasterii beate Marie de Dulci Corde, pro se et conventu eiusdem loci, a me notario publico subscripto sibi fieri petiit publicum instrumentum seu publica instrumenta : Acta erant hec super fundum terrarum de Minore Ard, sub anno, die, mense, indicione et pontificatu quibus supra ; presentibus ibidem venerabili in Christo patre domino Wilhelmo Lilburn, abbate prefati monasterii beate Marie de Dundranan, domino Herberto de Maxvele de eodem milite, Johanne Kennady, filio et herede domini Johannis Kennady de Blayrcan militis, Alexandro Mur, senescallo de Kirkcubright, Wilhelmo Gersoune, Eustaseo de Maxwell de Collinhath, et Fergusio M'Nauch de Culconady, cum multis aliis ad premissa vocatis rogatis et in testibus sumptis.

Et ego Bricius Stewart, clericus Glasguensis diocesis, auctoritate apostolica et imperiali notarius publicus [*etc., in forma communi*].

39. RETOUR of the SERVICE of ROBERT OF MAXWELL as heir of his father, Herbert,
in the lands of Carlawerok, etc. 14th February 1453.

INQUISICIO capta apud Drumsfres, coram Thoma Fergueii vicecomitis deputato de Drumsfres, decimo quarto die mensis Februarii, anno Domini millesimo quadringentesimo quinquagesimo tercio, per istos subscriptos, videlicet, Thomam de Kirkpatrick de Kilosbern, Amerum de Maxwell de Kirkconnell, Rogerum de Kirkpatrick de le Rokellheyde, Gilbertum de Jhonstoun de Gretnow, Wilhelmum Greysoun de Daltone, Robertum M'Brayr prefectum burgi de Drumsfres, Georgeum de Kirkpatrick de Pennersex, Wilhelmum Neylsone de Madinpape, Eustacium de Maxwell de Collinhath, David Welch, Johannem Dowgan, Eliseum M'Quhirk, Malcomum M'Gilhauch, Andream Nicholai, Johannem Panttur, burgenses prefati burgi, Jacobum Kirkhalcht de Gleneslane, Ricardum Edzar de Garsalacht, et Ricardum Edzar de Ynglistone ; qui iurati dicunt quod quondam Robertus dominus le Maxwell, pater Roberti de Maxwell latoris presencium, obiit ultimo vestitus et saisitus ut de feodo ad fidem et ad pacem domini nostri regis de terris baronie de Carlawerok cum pertinenciis, et de terris de le Garsalacht et Dursquhen cum pertinenciis, et de terris de Spryngkelde cum pertinenciis, et de superioritate centum solidatarum terrarum jacencium in territorio de Drumsfres infra vicecomitatum de Drumsfres ; dicunt etiam quod dictus Robertus est legitimus et propinquior heres eiusdem quondam patris sui de eiusdem terris et superioritate cum pertinenciis,

et quod est legitime etatis, et quod dicte terre baronie de Carlauerok nunc valent per annum octoginta mercas et tantum valuerunt tempore pacis, et quod dicte terre de Garnsalacht et Dursquhene cum pertineuciis nunc valent per annum xv libras, et quod tantum valuerunt tempore pacis, et quod dicte terre de Spryngkelde cum pertinenciis nunc valent per annum xxⁱⁱⁱⁱ mercas, et quod tantum valuerunt tempore pacis, et quod superioritas dictarum centum solidatarum terrarum nunc valent per annum centum solidos, et quod tantum valuerunt tempore pacis, et quod dicte terre de Carlauerok, de Garnsalacht, de Dursquhen, de Springkelde, et dicta superioritas tenentur in capite de domino nostro rege in alba firma, tradendo scilicet, pro terris baronie de Carlauerok cum pertinenciis vnam rosam rubeam ad capitale messuagium dictarum terrarum, in festo natiuitatis beati Johannis Baptiste, et pro terris de Garnsalacht et Dursquhen cum pertinenciis, vnum denarium argenti in festo beati Kintigerni in ecclesia beati Kintigerni de Kirk M'Quho, et pro terris de Springkelde cum pertineuciis, vnum par cirothearum in ecclesia de Lochmabane, in festo beate Marie Magdalene, et pro dicta superioritate vnum par calcarium in festo beati Michaelis Archangeli in ecclesia parochiali de Drumfres, et quod omnes predictae terre cum pertinenciis vna cum dicta superioritate nunc sunt in manibus domini nostri regis tamquam domini superioris earundem per mortem dicti quondam Herberti, causa heredum jus suum non prosequentium, tempore sex septimanarum uel eocirca : In cuius rei testimonium sigillum dicti vicecomitis deputati, vna cum sigillis quorundam qui dicte inquisicioni intererant, sunt appensa, die, mense, anno et loco quibus supra.

40. CHARTER by GEORGE EARL OF CAITHNESS to his daughter, JONETE OF CRECHTOUN, of the barony of Tybberis, etc., on her marriage with John Maxwell. 29th March 1454.

OMNIBUS hanc cartam visuris vel auditoris, Georgeus comes de Cathness, Admirallus Scocie et dominus baronie de Tybberis, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse, assignasse et hac presenti carta nostra confirmasse dilecte filie nostre Jonete de Crechtoun, causa matrimonii contrahendi inter ipsam Jonetam et Johannem de Maxwell filium et apparentem heredem nobilis domini Roberti domini Maxwell, totam et integram baroniam nostram de Tybberis et capitale messuagium eiusdem, cum pertinenciis, jacentem infra vicecomitatum de Drumfres : Teneudam et habendam totam et integram predictam baroniam de Tybberis et capitale messuagium eiusdem cum pertinenciis prefate Jonete de Crechtoun filie nostre et [in] hac parte nostre legitime assignate, et heredibus suis de corpore suo legitime procreandis, a nobis, heredibus nostris et aliis nostris assignatis quibuscunque, in puram, liberam et integram regalitatem, in feodo et hereditate imperpetuum, cum tenandis . . . ad predictam baroniam et capitale messuagium eiusdem cum pertinenciis spectantibus seu juste spectare valentibus quomodolibet in futurum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia sicut nos comes antedictus predictam baroniam et capitale messuagium eiusdem cum pertinenciis ante nostram presentem donacionem, concessionem et assignacionem de domino nostro rege liberius tenuimus seu possidebamus : Reddendo inde annuatim dicta Joneta et heredes sui supradicti domino nostro regi vnam rubeam rosam in festo natiuitatis beati Johannis Baptiste, super solum dicti capitalis messuagii nomine albe firme, si petatur tantum, pro omni alio onere, exaccione, demanda seu seruicio seculari que de dicta baronia et capitali messuagio eiusdem cum pertinenciis per quoscunque juste exigere poterunt quomodolibet vel requiri : Volumus tamen quod si contingat dictam Jonetam absque heredibus de corpore suo

legittime procreandis in fatum discedere, quod absit, quod dicta baronia et capitale messuagium eiusdem cum pertinenciis suis vniuersis ad nos et nostros assignatos quoscunque plenarie reuertantur. . . . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi, apud Edynburgh, vicesimo nono die mensis Marci anno Domini millesimo quadringentesimo quinquagesimo quarto; hiis testibus, videlicet, Willelmo domino Borthwic, Johanne de Maxwel de Cal-dorewod, Symone de Glendynwyn de eodem, militibus, Thoma le Grahame de Thornehuch, Amero de Gledstanis de eodem, Dauid de Kirkpatric, et Dauid Rede notario publico, cum multis aliis.

GEORGE ERLE OF CATHNESS.

41. SASINE in favour of MARGARET MVNDUELE, spouse of Edward of Maxuele, of the fourth part of Tynwald. 8th May 1455.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione Domini millesimo quadringentesimo quinquagesimo quinto, die vero mensis Maii viii^o, indictione quarta, pontificatus sanctissimi in Christo patris ac domini, nostri domini Nicholai diuina providencia pape quinti, anno nono, in mei notarii publici et testium subscriptorum presencia Margareta Mvnduele, sponsa Edvardi de Maxuele, super capitale messuagium appellatum le Mote iuxta ecclesiam de Tynvalde, comparuit, et Dauid Haliday, tunc sergiandus domini vicecomitis de Drumfres, cepit terram cum lapide in manu eius de dicto messuagio, et dedit in manu dicte Margarete, dicendo : Do vobis hic saisinam hereditariam quarte partis omnium terrarum de Tynvalde, cum pertinenciis, saluo jure cuiuslibet : et pro maiore securitate et veritate, vt dicta Margareta asseruit, procurauerat sigilla cum instancia prouidorum virorum, videlicet, Thome Grame de Thornyhuk, Rogeri de Kyrkpatrik de Dargavale, et Thome M'Colouch de Amisfelde, presenti instrumento apponenda : De quibus sic factis, recitatis et elocutis vt predictur, dicta Margareta peciit a me notario subscripto sibi exinde publicum fieri instrumentum : Acta fuerunt hec hora quasi octaua ante meridiem, anno, die, mense, indictione, pontificatu quibus supra ; presentibus Thoma Grame de Thornyhuk, Rogero de Kyrkpatrik [de] Dargavale, Roberto Mvnduele et Andrea Charteris, testibus ad premissa vocatis specialiter et rogatis.

Et ego Robertus Broky, publicus auctoritate imperiali notarius, premissis [*etc., in forma communi*].

42. CHARTER by KING JAMES THE SECOND to AMER OF MAXWELL and JANET, his spouse, of the lands of Kirkconnel. 20th March 1456.¹

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse, dilectis nostris Amero de Maxwell, et Jonete de Kirkconnel, sponse sue, totas et integras terras de Kirkconnel, cum pertinenciis, jacentes in dominio nostro Galuidie, infra senescallatum nostrum de Kirkeudbriht ; quequidem terre cum pertinenciis fuerunt dictorum Ameri et Jonete hereditarie, et quas iidem Amerus et Joneta, non vi aut metu ducti, nec errore lapsi, sed eorum mera et spontanea voluntate, in manus nostras, apud Kirkeudbriht, videlicet, dictus Amerus personaliter, et dicta Joneta per suos procuratores ad hoc legitime constitutos, coram subscriptis testibus, per fustem et baculum

¹ From the Original Charter at Kirkconnell.

sursum reddiderunt, pureque simpliciter resignarunt, ac totum jus et clameum que in dictis terris cum pertinenciis habuerunt seu habere potuerunt, pro se et heredibus suis, omnino quitumclamarunt imperpetuum : Tenendas et habendas totas et integras predictas terras de Kirkconnel cum pertinenciis, predicto Amero de Maxwel et Jonete sponse sue, et eorum alteri diucius viuenti, et heredibus inter ipsos legitime procreatis seu procreandis, quibus forte deficientibus, veris legitimis et propinquiorebus heredibus dicte Jonete quibuscunque, de nobis, heredibus et successoribus nostris, regibus Scoeie, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine . . . sicut dicta Joneta, aut sui predicesores prenominatas terras cum pertinenciis de nobis aut predicesoribus nostris, ante dictam resignacionem nobis inde factam, liberius tenuit seu possedit, tenuerunt seu possederunt : Faciendo annuatim dicti Amerus et Joneta sponsa et eorum alter diucius viuens, et heredes inter ipsos legitime procreati seu procreandi, quibus forte deficientibus, veri legitimi et propinquoires heredes dicte Jonete quicunque, nobis, heredibus et successoribus nostris, seruicia de dictis terris debita et consueta : In cuius rei testimonium pre-seuti carte nostre maguum sigillum nostrum apponi precepimus ; testibus reuerendo in Cristo patre Georgeo episcopo Brechinensi, nostro cancellario et consiliario sincerime dilecto, dilectis consanguineis nostris, Patricio domino Grahame, Andrea domino Avandale, gardiano nostro, Jacobo de Levingstoune, magno camerario nostro, Willelmo de Morauia de Tulibardin, et Niniano Spot, nostrorum compotorum rotulatore, apud Drumfreis, vicesimo die mensis Marci, anno Domini millesimo quadringentesimo quinquagesimo sexto, et regni nostri vicesimo primo.

43. SASINE given *propriis manibus* by AMER OF MAXWELL of Kirkconnel to GEORGE NELSOUN of Madinpap, of a forty shilling land in the lordship of Kelton. 13th November 1461.¹

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione eiusdem millesimo quadringentesimo sexagesimo primo, mensis Nouembris die decimo tercio, indicione decima, pontificatusque sanctissimi in Christo patris ac domini nostri, domini Pii, diuina prouideucia pape secundi, auno quarto, iu mei notarii publici ac testium subscriptorum presencia personaliter constitutus prouidus vir, Amerus de Maxwell de Kirkconnel ac dominus superior terrarum de Keltoun, jacencium iufra vicecomitatum de Drumfrece, personaliter accessit ad quadraginta solidatas terrarum jacencium infra dictum dominium de Keltoun, et prouido viro, Georgio Nelsoun de Madinpap, statum et sasinam hereditariam predictarum xl^{ta} solidatarum terrarum cum pertinenciis tradidit et deliberavit, juris solempnitate in huiusmodi fieri consueta mediante, per tradicionem terre et lapidis, ut moris est in talibus, et prefatum Georgium Nelsoun in realem et corporalem possessionem predictarum xl^{ta} solidatarum terrarum cum pertinenciis, induxit, inuestiuit ac eciam infeodauit : Tenendas et habendas dictas quadraginta solidatas terrarum cum pertinenciis, predicto Georgio, heredibus suis et assignatis, de dicto Amero heredibus suis et assignatis, iu feodo et hereditate imperpetuum, per wardam et releuium, ita libere et quiete, in omnibus et per omnia, sicut nobilis vir Johannes de Maxwell, filius et apparens heres magne uobilitatis domini, Roberti domini Maxwell, possidebat seu gaudebat prefatas terras cum pertinenciis aliquibus temporibus retroactis : Super quibus omnibus et singulis actis, factis, et dicte sasine dacione, sepedictus Georgius a me notario publico subscripto sibi peciit fieri publicum seu publica instrumentum seu instrumenta :

¹ From the Original Instrument of Sasine at Kirkconnell.

Acta erant hec in dictis terris, hora quasi prima post merediem, uel eo circa, sub anno, mense, die, indicione et pontificatu quibus supra; presentibus Roberto domino Maxwell, Eustacio de Maxwell de Colnhath, Alexandro Nelsoun, Herberto de Maxwell de Achinfad, Henrico Nelsoun, Johanne Panter, Nicolaio Haliday, Johanne McNauch, Moricio McMolane, burgencibus burgi de Drumfreee, Jacobo de Gledstanis, Johanne Hakertoun, Herberto Newall et Johanne McBrare, testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes McIlhauch, clericus Glasguensis diocesis, publicus auctoritate imperiali notarius, premissis [*etc., in forma communi*].

44. LEASE by WILLIAM, ABBOT OF SWEETHEART, to ROBERT, SECOND LORD MAXWELL, of the land of Kirkpatrick, called Colsthangane. 31st May 1474.

BE it kende till all mene be thir present letteris, ws Wilzhame, be the paciencis of Gode abbot of Suethert, tyll haff set ande to ferme latting, and be thir our present letteris settis ande in malyngelattis till a rycht honorable mane Robert Lorde Maxwell, ande his assignais be him to that maide and ordauit, fourty schillingeworth of our lande of Kirkpatrik callit Colsthangane, lyande within the Stewartry of Kirkeubrycht and the lordschipe of Galway, for all the termys of fyfte zenis nixt ande togyddir followande the dait of thir presentis, with all comoditeis, profectis, asiamentis and rychtwyse pertinentis quhatsumeuer to thame perteneande, or be law or custum may pertene, but fraude or gyle, the saide Robert ande his assignais payande till ws or our successouris for the said fourty schillingeworth of lande zerlie endorynge the termys abone wryttn of fywe zheris fourty schillingis of vsuall mony of Scotlande, at twa termys of the zere, that is to say, Witsonday and Mertynmes be evinly portionis, that is to saye xx.s. at Witsonday and xx.s. at Mertynmes, and swa furthe, the saide Robert enterande in the saide tak and malyngelattis at the Witsonday next ande immediatly folowande the dait of thir presentis: In witnes of the quhilk thing till thir our present letteres of tak we haue set to our seill, at Carlaweroke, the last day of the moneth of Maye, the zher of Gode a thousande four hundreth sevinty ande four zheris, before thir witnes, Herbert of Gledstanis of that ilk, Johne of Maxwell of Collinghathe, Schir Johne Michelsone, persone of Nethirewis, and Schir Johne Wylde, chapellane, with diuers outhiris.

45. NOTARIAL INSTRUMENT, recording that the tenants of the barony of Maxwell were to be denuded of their lands till they got new tacks. 14th May 1476.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quadringentesimo septuagesimo sexto, mensis vero Maii die decima quarta, indicione nona, pontificatus sanctissimi in Christo patris et domini, nostri domini Sixti diuina prouidencia pape quarti, anno quinto, in mei notarii publici et testium subscriptorum presencia personaliter constitutus prouidus vir Herbertus Maxwell, balliuis baronie de Maxwell per dominum eiusdem baronie specialiter constitutus, quandam curiam prefate baronie confirmauit; qua quidem curia confirmata, sectis vocatis, absentibus scriptis, diuersisque opportunis aliis in dicta curia iudice peractis, prefatus balliuis, nomine et ex parte domini Maxwell, omnes et singulas terras totius prefate baronie a festo Pentecostes proximo post datum presencium in manus dicti domini assumebat, et publicam premonicionem fecit, quod quicunque aliquas terras in aliqua parte totius

prefate baronie in assedacione quouismodo habebant de dictis terris et earum assedacionibus dicto festo Penticostes existente elapso, penitus denudarentur, et ipsas non haberent quousque easdem de nouo caperent de supradicto domino uel suo balliuo potestatem habente easdem terras assedandi et assedaciones earundem faciendi : Super quibus omnibus et singulis prefatus balliuus a me notario subscripto sibi fieri peciit publicum instrumentum : Acta erant hec super solum capitalis messuagii prefate baronie hora decima uel eocirca ante meridiem, sub anno, mense, die, indicione et pontificatu quibus supra, presentibus prouidis uiris Johanne Faula de eodem, Jacobo Dauidson, Willelmo Brownfeld, Georgio Brownfelde, Michaeli Oliuer, Donaldio Forbas, Thoma Moscrop, et Villelmo Jamesone, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego uero Ricardus Hall, clericus Glasguensis diocesis, publicus auctoritate regali notarius, premissis [*etc., in forma communi*].

46. ASSIGNATION by ROBERT, SECOND LORD MAXWELL, to DAME JANET FORSTER, his spouse, of the third part of Mernys and Carlawerock. 7th February 1477.

IN Dei nomine amen : Per hoc presens publicum iustrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quadringentesimo septuagesimo septimo, die uero septimo mensis Februarii, indicione vndecima, pontificatus sanctissimi in Christo patris et domini nostri, domini Sixti diuina prouidencia pape quarti, anno septimo, in mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis dominus, Robertus dominus Maxwell, interrogauit et inquisiuit a domina Joneta Forstare, sua sponsa, si uoluit esse contenta post suum decessum de tercia terrarum suarum de le Mernys qua gaudebat quondam Katrina Cetoune domina de Dernle et Maxwell, uidelicet, de terris de Newtoun, Malisheuch, Southfelde, Schaw in le Manys, Fawside, Ryslande, le Akirdailis, terris de Pilmur, cum molendino et multuris eiusdem, cum pertinentiis : Quequidem Joneta respondebat quod de dicta tercia bene fuit contenta : Quapropter prefatus Robertus dominus Maxwell, cum consensu et assensu Johannis Maxwell, filii et apparentis heredis sui tunc presentis, predictas terras cum pertinentiis quibus predicta Katrina gaudebat prefate Jonete, sue sponse, pro tercia sua dictarum terrarum de le Mernys libere assignauit, et consequenter inquisiuit a dicta Joneta sua sponsa vtrum uoluit esse contenta post suum decessum de eadem tercia qua gaudebat dicta quondam Katrina terrarum de Carlawerock : Que Joneta respondit quod ita fuit contenta : Qui Robertus dominus Maxwell, similiter cum consensu et assensu dicti Johannis Maxwell primogeniti sui, eandem terciam quam dicta quondam Katrina habuit terrarum de Carlawerock cum omnibus proficuis, molendinis, multuris, piscacionibus et sale, cum pertinentiis, prefate Jonete sue sponse post suum decessum pro toto tempore vite sue gaudendam pro sua tercia terrarum de Carlawerock limitauit et assignauit, prout moris est in consimilibus fieri : Insuper dictus Johannes Maxwell dictas tercias predictarum terrarum prefate Jonete matri sue, sic ut premittitur, assignatas, pro se et heredibus suis approbauit et irreuocabiliter affirmauit, obligando se in strictissima forma obligacionis ad manutenendam et defendendam eandem in possessione dicte sue tercię de le Mernys et de Carlawerock pro toto tempore vite ipsius Jonete : Necnon ad sigillandam suo sigillo dictam assignacionem prefate sue tercię de nouo conficiendam in strictissima forma pro securitate eiusdem, et easdem terras tercię sue de Carlawerock specificandas, nominandas et exprimendas in eadem si necesse fuerit : De et super omnibus et singulis prefata Joneta a me notario publico subscripto sibi fieri peciit publicum instrumentum vel publica instrumenta unum uel plura : Acta erant hec apud

Edinburgh, in camera Henrici Forstar de Nudre, hora quinta post meridiem uel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem honorabilibus et circumspectis viris David Kirkpatrick de Roukilheide, Johanne Forster de Kilbabertonne, Roberto M^cBraar aldermanno de Dumfres, Herberto Gledstanys armigero, et Jacobo Zonnger notario publico, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes Machane, presbyter Sancti Andree diocesis, publicus imperiali et regali auctoritatibus notarins, quia premissis [*etc., in forma communi*].

47. RESIGNATION by ROBERT, SECOND LORD MAXWELL, in favonr of JOHN MAXWELL, his son, of the baronies of Maxwell and Carlaverock, and the lands of Mearns, etc. 10th February 1477.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat enidenter quod anno ab Incarnacione eiusdem millesimo quadringentesimo septuagesimo septimo, indictione vndecima, et mensis Febrnarii die vero decimo, pontificatus sanctissimi in Christo patris ac domini nostri, domini Sixti diuina prouidentia pape quarti anno septimo, in mei notarii publici et testinum subscriptorum presencia personaliter accessit nobilis dominus, Robertus dominus Maxwell, ad presenciam excellentissimi principis ac domini nostri metnendissimi domini Jacobi terei Dei gracia Scotorum Regis illustrissimi cum omni subieccione et reuerencia debita et honore, flexis genibus, non vi aut metu ductus, nec errore lapsus, seu dolo circumuentus, sed ex sua mera, pura et spontanea voluntate, vt assernit, sursum reddidit ac pure et simpliciter resignauit in manibus dicti excellentissimi principis per fustem et baculum omnes et singulas terras baronie sue de Maxwell cum pertinentiis, iacentes infra vicecomitatum de Roxburch, ac eciam terras baronie de Carlanerok cum pertinentiis, iacentes infra vicecomitatum de Drumfres, et terras suas de le Mernys cum pertinentiis, iacentes infra vicecomitatum de Renfrew, ac totum jus et clamenm, proprietatem et possessionem que et quas in dictis terris cum pertinentiis habuit, habet seu habere potuit, omnino quittemelamanit imperpetuum tenore presencium : Qua resignacione sic facta, idem supremus dominus noster Rex omnium et singularum predictarum terrarum dictarum baroniarum de Maxwell et Carlaueok et terrarum de le Mernys prescriptarum, cum pertinentiis, honorabili viro Johanni Maxwell filio et heredi apparenti dicti domini Maxwell, et heredibus suis, possessionem corporalem et statum regalem per exhibicionem huiusmodi fustis et baculi, secundum tenorem carte dicti domini nostri regis desuper conficiende, dedit, tradidit, donauit et deliberavit : Tenendas de ipso supremo domino nostro rege adeo libere sicut ipse Robertus dominus Maxwell ant predecessores sui prenomintas terras cum pertinentiis de prelibato domino nostro rege aut predecessoribus suis ante dictam resignacionem tenuit seu possedit, tenuerunt sen possederunt : Reseruato tamen libero tenemento dictarum terrarum, videlicet, baronie de Carlaueok et terrarum de le Mernys cum pertinentiis dicto Roberto domino Maxwell pro toto tempore vite sue, et post suum decessum, racionabili tercia Jonete sponse prefati Roberti domini Maxwell cum contigerit : Super quibus omnibus et singulis dictus dominus Maxwell a me notario publico subscripto peciit sibi fieri presens publicum instrumentum : Acta erant hec in capella siue clausura dicti domini nostri regis infra monasterium Sancte Crucis de Edinburch, hora quasi duodecima ante meridiem, anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem, reuerendo in Christo patre Johanne episcopo Glasguensi, venerabili in Christo patre Archibaldo abbate Sancte Crucis de Edinburch, nobilibus et

prepotentibus dominis, Andrea domino Avendale, cancellario Scocie, Colino comite de Argile domino Lorn, Willelmo domino Creichtoun, Johanne domino Carlile, Johanne domino Lus de eodem, milite, magistris Alexandro Inglis, clerico registri dicti domini nostri regis, Gawano Vaich, clericis, et Johanne Murray de Tulchadam, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus Farnly, clericus Sanctiandree diocesis, publicus auctoritatibus imperiali et regali notarius, premissis [*etc., in forma communi*].

48. CHARTER by KING JAMES THE THIRD to JOHN MAXWELL, eldest son of Robert, second Lord Maxwell, of the baronies of Maxwell and Carlawerock, and the lands of Mearns, etc. 14th February 1477.

JACOBUS Dei gracia Rex Scotorum, omuibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Johanni de Maxwell, filio et heredi apparenti dilecti consanguinei nostri, Roberti domini Maxwell, omnes et singulas terras baronie de Maxwell, cum pertinenciis, iacentes infra vicecomitatum nostrum de Roxburgh, ac omnes et singulas terras baronie de Carlawerok, cum pertinenciis, iacentes infra vicecomitatum nostrum de Drunfres, ac eciam omnes et singulas terras de Mernys cum pertinenciis, iacentes infra vicecomitatum nostrum de Renfrew : Quequidem terre et baronie cum pertinentiis fuerunt dicti Roberti hereditarie, et quas idem Robertus non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras apud Edinburgh personaliter per fustem et baculum sursum reddidit, pureque simpliciter resignavit, ac totum jus et clameum que in dictis terris et baroniis cum pertinentiis habuit seu habere potuit pro se et heredibus suis omnino quitumclamavit imperpetuum : Tenendas et habendas omnes et singulas predictas terras baroniarum de Maxwell et Carlawerok, ac omnes et singulas dictas terras de Mernys cum pertinenciis, prefato Johanni et heredibus suis de nobis, heredibus et successoribus nostris, iu feodo et hereditate imperpetuum, per omnes rectas metas . . . Et adeo libere . . . sicut dictus Robertus aut predecessores sui prenominate terras et baronias cum pertinenciis de nobis aut predecessores nostris, ante dictam resignacionem nobis inde factam, liberius tenuit seu possedit, tenuerunt seu possederunt : Faciendo inde annuatim dictus Johannes et heredes sui nobis et successoribus nostris jura et seruicia de dictis terris et baroniis debita et consueta : Reseruato tamen libero tenemento omnium et singularum dictarum terrarum baronie de Carlawerok et terrarum de Mernys cum pertinenciis dicto Roberto domino Maxwell pro toto tempore vite sue, et reseruata rationabili tercia parte earundem terrarum baronie de Carlawerok et terrarum de Mernys cum pertinenciis Jonete sponse eiusdem Roberti, cum contigerit, pro toto tempore vite ipsius Jonete : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus reuerendis in Christo patribus, Johanne episcopo Glasguensi, Willelmo episcopo Morauensi nostri secreti sigilli custode, Thoma episcopo Aberdonensi, dilectis consanguineis nostris Andrea domino Avendale cancellario nostro, Colino comite de Ergile domino Cambel et Lorne, magistro hospicii nostri, Daud comite de Craufurde domino Lindesay, Jacobo domino Hammyltoun, Johanne domino Carlile, Johanne de Culquhoune de eodem milite, Magistris Archibaldo Quhitelaw archidiacono Laudonie, secretario nostro, et Alexandro Inglis cancellario Aberdonensi, clerico nostrorum rotulorum et registri, apud Edinburgh, decimoquarto die mensis Februarii anno Domini millesimo quadringentesimo septuagesimo septimo, et regni nostri decimo octauo.

49. AGREEMENT between JOHN MAXWELL, Steward of Annandale, and JAMES LORD HAMILTON, anent Inquest as to the lands of Fingaltoune. 25th March 1482.

IN nomine Domini amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quadringentesimo octuagesimo secundo, indiccione decima quinta, die vero mensis Marci vicesimo quinto, pontificatus sanctissimi in Christo patris ac domini nostri, domini Sixti diuina prouidencia pape quarti, anno vndecimo, in mei notarii publici subscripti et testium subscriptorum presencia personaliter constituti honorabiles viri Edwardus Maxweill de Tenwald, Georgus Maxweill de Carnsallawcht, et Herbertus Gledstanes, procuratores et eo nomine nobilis viri Johannis Maxweill senescalli Vallisannandie, ex vna, et dominus Robertus Hammyltoune de Fingaltoune, miles, actornatus et eo nomine nobilis domini Jacobi domini Hammyltoune, partibus ab altera ; inter quas partes appunctuatum et concordatum fuit in hunc modum qui sequitur in vulgari : The xxv day of Marche, the zer of God ane thowzand four hunder lxxx and twa zeiris, Edwart of Maxwell of Tenwald, George of Maxwell of Carnesallawcht, Harbert of Giedstanes, procuratores for Johne of Maxwell, stewarte of Annerdalle, one the ta part, and Sir Roberte Hammyltoune of Fyngaltoune, attorney to James Lord Hammiltoune, one the tother part, consentis and assentis at the bryeff at is present to the schereff of Renfrow be the said James Lord Hammyltoune, be cryit to be serwit in the Tolbutht of Edinburgh, in Edinburgh, befor the same schereff, wyth his ministris of the curte, and be ane inquest of the same schyir, the nyne day of Maii next to cum, giff it be lauchfulle, and falzeing therof, the next lawchfull day thereftyr folowing, and the saidis procuratoris of the said stewartis of Anerdall has bowne tham that giff it falys in the serwyne of the said bryiff, in the defalt of the schereff or his ministris of the curte, or the inquest of the schyir, it salbe na hurt na preiudice to the said Lord Hammiltoune in the males and profyttis of the said landis for the space of fourti dayis next folowand the said ix day of Maii, and at the tenandis of Fingaltoune, and the grunde salbe wnstroblit in the meyne tyme be ather of the saidis pairtes, and this was downe in the presens of ane uobile and michti lord, Lord Lyille, in his inuer chalmer wythin the burgh of Edinburgh, befor thir witnes, Alexander Hammyltoune of Balcreiff, Johne of Kuoke, Dauid of Kyrkpatrik, and Johne of Lyille, wyth vther sindry : De et super quibus omnibus et singulis prefatus Herbertus Gledstanes a me notario publico subscripto sibi fieri peciit publicum seu publica instrumentum siue instrumenta : Acta fuerunt hec in camera dicti domini Lyille infra burgum de Edinburgh, hora quarta post meridiem vel eocirca, sub anno, die, indiccione et pontificatu quibus supra ; presentibus Domio Lyille, Alexandro Hammyltoune de Balcreiff, Dauid Kyrkpatrik, Johanne Knok et Johanne Lyille, cum multis aliis testibus ad premissa vocatis specialiter atque rogatis.

Et ego Johannes Willelmi presbyter Sancti Andree diocesis, publicus auctoritate imperiali notarius, quia premissis [*etc., in forma communis*].

50. SASINE in favour of EDWARD MAXWELL of Tynuald of a fourth part of Murethe. 31st January 1483.

IN nomine Domini amen : Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno ab Incarnacione eiusdem millesimo quadringentesimo octuagesimo tercio, mensis vero Januarii die vltimo, indiccione secunda, pontificatusque sanctissimi in Christo patris et domini

nostri domini Sixti diuina prouidencia pape quarti, anno decimo tercio, in mei notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis vir Andreas Agnew, vicecomes de Wygtoune ac balliuis in illa parte honorabilis viri Roberti Boid de Arneill specialiter constitutus, vt mihi notario publico infrascripto per snfficiens mandatum sub sigillo armorum dicti Roberti in pergaminio scriptum, sub alba cera rubea impressa, medio tempore luenlenter constabat ; cuiusquidem mandati siue saisine precepti tenor sequitur de verbo ad verbum, id est talis :

ROBERTUS BOYDE de Arneyll, dilectis meis Andree Agnew vicecomiti de Wygtoune, Herberto Maxwell et Rankyno Mnre, balliuis meis in hac parte specialiter constitutis, salutem : Quia dedi, concessi, vendidi, et titulo venditionis alienaui nobili viro Edwardo Maxwell de Tynnald hereditarie totam et integram quartam partem terrarum et baronie de Murethe cum suis pertinenciis mihi spectantem, jacentem in baronia de Mnrethe infra vicecomitatum de Wygtoune, prout in carta mea sibi desuper confecta plenius continetur ; vobis igitur et vestrum cuilibet tenore presentium do in mandatis, precipio et mando quatenus, visis presentibus, indilate statum, possessionem et sasinam hereditariam tocus et integre predictae quarte partis terrarum et baronie de Murethe cum suis pertiueuciis predicto Eduardo, vel sno certo actornato latori presencium, secundum vim, formam, vigorem et tenorem dicte carte mee quam de me inde habet iuste haberi faciatis et deliberetis, seu alter vestrum iuste haberi faciat et deliberet sine delacione ; et hoc nullomodo omittatis : Ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim meam plenariam et irreuocabilem tenore presencium committo potestatem : In cuius rei testimonium sigillum meum presentibus est appensum, apud Dnrisder, vicesimo vi^{to} die mensis Jannarii, anno Domini millesimo quadringentesimo octuagesimo tercio, coram hiis testibns, Johanne domino Maxwell, Thoma de Kirkpatrick de Kilhosberne, Herberto Maxwell filio et herede apparente predicti Eduardi Maxwell, Harberto Gledstanis de eodem, et Johanne Makhome notario publico, cum dinersis aliis.

QUOD quidem mandatum siue saisine preceptum per me notarium publicum infrascriptum super solum predictae quarte partis terrarum publice alta et intelligibili voce perlegi fecit, cuiusquidem virtute, vigore et tenore ipse Andreas, balliuis vt supra, statum, possessionem et sasinam hereditariam tocus et integre predictae quarte partis terrarum et baronie de Murethe cum suis pertinenciis predicto Eduardo per donacionem terre, ligni et lapidis vt moris est tradidit, contulit et deliberavit, secundum tenorem sue carte in feodo et hereditate imperpetuum : Snper quibus omnibus et singulis actis, factis, gestis et recitatis prefatus Edwardus sibi fieri peciit publicum instrumentum et publica instrumenta quotquot essent necessaria : Acta erant hec apud capitale messuagium terrarum et baronie de Mnrethe, videlicet, Ballingreg, hora decima ante meridiem, sub anno, die, mense, indicione et pontificatu quibus supra ; presentibus ibidem pronidis viris Johanne Maxwell de Templand, Herberto Maxwell de Tavidale, Thoma Maxwell, Willelmo Beusoun, Mychaele McConnall, et Mychaele McLymquha, testibus ad premissa vocatis et specialiter rogatis.

Et ego Johannes Makhome clericus diocesis Glasguensis, publicus auctoritatibus apostolica imperiali et regali notarius, quia premissis [*etc., in forma communi*].

51. SASINE of DAVID HERRIES of Avandale, knight, of the baronies of Terregles, Kirkgunzeon, and others. 7th December 1484.

IN nomine Domini amen : Per hoc presens publicum instrumentum cunctis pateat enidenter et sit notum quod anno ab Incarnacione eiusdem millesimo quadringentesimo octuagesimo quarto, mensis vero Decembris die vii^o, indicione tertia, pontificatusque sanctissimi in Christo patris et domini nostri, domini Sixti diuina prouidentia pape quarti, anno decimo quarto, in mei notarii publici et testium

subscriptorum presencia personaliter constitutus discretus vir Johannes Durande, sergendus ac deputatus honorabilis viri Roberti Crechtoune de Sanquhar vicecomitis de Drumfrece, vt mihi notario publico infrascripto per sufficiens mandatum sub sigillo armorum predicti vicecomitis luculenter constabat, habens et tenens in manibus suis quoddam preceptum saisine in pergamino scriptum, sub alba cera supremi domini regis sibi vicecomiti directum, pro datione saisine baronie de Terreglis, baronie de Kirkgunzane et dimedie baronie de Vr, et certarum terrarum aliarum in dicto precepto saisine contentarum, domino David Heris de Auendale militi, tanquam filio et heredi legitimo uobilis viri Johannis Heris de Terreglis quondam domini, personaliter accessit ad capitale messuagium omnium et singularum predictarum terrarum baronie de Terreglis, et ibidem virtute, vigore et teuore predicti precepti saisine, ipse Johannes sergendus vt supra tradidit, contulit et deliberauit statum, possessionem et saisinam hereditariam omnium et singularum predictarum terrarum baronie de Terreglis cum suis pertinenciis honorabili viro Roberto Heris de Kirkpatrick Yrnegray, certo actornato predicti domini David, vt mihi notario publico per sufficientem literam actornati luculenter constabat impetratam a capella supremi domini nostri regis, per donationem terre, ligni et lapidis vt moris est, ac eundem Robertum actornatorio nomine predicti domini David in et ad realem, actuaalem et corporalem possessionem omnium et singularum predictarum terrarum baronie de Terreglis induxit, et mediante iuris sollempnitate sollempniter inuestiuit : Super quibus omnibus et singulis actis, factis, gestis et [recita]tis prefatus Robertus actornatus vt supra a [me]notario publico sibi fieri petiit publicum instrumentum. [Acta] erant hęc apud maneriem de Terreglis, hora prima post meridiem, sub anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem nobili viro, Johanne domino Carlell, Johanne Carutheris de Holmendis, Roberto Charteris de Amisfelde, Jacobo Sinclair, Herberto Asloan de Garyache, domino Waltero Quhytheide, rectore de Drönok et Peto Mem̃soun, testibus ad premissa vocatis.

Et ego Johannes McHome clericus diocesis Glasguensis, publicus auctoritatibus apostolica imperiali et regia notarius, premissis [*etc., in forma communi*].

52. NOTARIAL INSTRUMENT recording assurance given by ROBERT LORD MAXWELL,
in favour of CUTHBERT MURRAY of Cokpule and others. 22d April 1485.

IN Dei nomine, amen : Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno ab Incarnacioue Domini millesimo quadringentesimo octuagesimo quinto, mensis vero Aprilis die vicesimo secundo, indicione tercia, pontificatus sanctissimi in Christo patris et domini nostri, domini Innocentii diuina prouidentia pape octauī, anno primo, in mei notarii publici et testium subscriptorum presencia personaliter constitutus, nobilis et potens vir Robertus dominus Maxwell, respondendo discreto viro Donaldo Malyune nuncio supremi domini nostri regis in illa parte specialiter constituto, qui sibi vnam sedulam in papiro scriptam sub priuato sigillo supremi domini nostri regis presentauit, pro assecurantia per euudem nuncium sumenda inter ipsum Robertum dominiuum Maxwell, Johannem Maxwell senescallum Vallis Annandie, eius heredem appareutem, Thomam Kyrkpatrik de Kilhosberue, Eduardum Maxwell de Tynwalde, et Robertum Charteris de Amysfeylde et suam partem, ex parte vna, et Cuthbertum Murray de Kokpule, et dominum Adam Murray eius fratrem germanum, et suam partem, ex parte altera, quo ad responsionem faciendam dicte littere et dicto nuncio suum responsum dicto Donaldo tradidit in scriptis, in hunc modum qui sequitur : Done McLynne, messinger till our souerande lorde, I, Robert lorde

Maxwell, says to zhow for me, Jhone off Maxwell, myne herytar, Thomes of Kyrkpatrik off Kylhosberne, Eduarde off Maxwell of Tynwalde, and Robert Charteris off Amysfeylde, as anentis our Souerane lordis lettres present to me be zow, and anentis the assourance to be tane be zhow betuix me and the fornemmyt personis, vpon the ta parte, and Cuthbert of Murraie off Cokpule, and his brother, schyr Adam, and thair partie, eftyr the tenor of the saidis lettres, vpon the tother pairte, I onderstand and says the saidis lettres ar nocht ewynlie in sum part direct, in sua far as ze ar chargit to tak souertie of me and myne fornemmyt partie, that the said Cuthbert, schir Adam, his brothyr, thair kyne, freudis, alya, men and tenentis salbe harmles and seathles of me and myne said partie ondyr gret soumes ou, to the fest of mydsomyr nixt to cum, and nocht to tak sik lik souertie of thaim for vs, onr kyne, frendis, alia, men and tenentis, nochtwithstanding I proffyr me till assouyr the said Cudbert, his brothir, thair kyne, alia, frendis, men and tenentis, at the command off our souerane lordis lettres, on to the feyst off Midsomyr next to cum, in the souerest forme can be diuisit, as lawe will ; I haffand siclik souertie for hym and his partie to me, myne kyne, alya, men, freudis and tenentis, aud, with Goddis grace, we sal keip the threttie daye of Maye in Edinburghe, ande sall pursue justice : Et premissum respousum idem Robertus dominus Maxwell iussit dicto uuncio, si sibi placeret, ostendere et demonstrare dicto Cuthberto, quod dictus nuutius facere manucepit : Super quibus omnibus et singulis dictis, factis, gestis et recitatis, prefatus Robertus dominus Maxwell a me notario publico sibi fieri peciit publicum instrumentum : Acta erant hec apud castrum de Carlawerok, hora quasi octaua ante meridiem uel eocirca, sub anno, mense, die, indicione et pontificatu quibus supra : Preseutibus ibidem prouidis uiris Herberto Gledstanis de codem, David Maxwell filio dicti Roberti domini Maxwell, Paulo Wattesone, Thoma Andersone, domino Johanne Wylde et domiuo Johanue Ewart, capellanis, et Roberto Maxwell fratre Roberti Charteris de Amysfeyld, testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes Makhome clericus diocesis Glasgueusis, publicus auctoritatibus apostolica imperiali et regia notarius, premissis [*etc., in forma communis*].

53. RETOUR of the SERVICE of JOHN, FOURTH LORD MAXWELL, as heir of his father,

John, third Lord Maxwell, in the barony of Maxwell. 29th April 1486.

INQUISICIO capta coram vicecomite de Roxburgh, apud burgum de Jedworth, penultimo die mensis Aprilis anno Domini millesimo quadringentesimo octuagesimo sexto, per hos subscriptos, videlicet, Robertum Ruthirfurd de Chatto, Georgium Dowglas de Bun Jedworth, Georgium Ruthirfurd, Wilelmum Dowglas, Robertum Scot, Richardum Ruthirfurde, Adam Dowglas, Wilelmum Dowglas, Rogerum Langlandis, Herbertum Maxwell, Georgium Daudsone, Patricium Dowglas, Wilelmum Priugile, Alexandrum Priugile et Nicholaum Dowglas ; qui jurati, in virtute sui iuramenti dicunt quod quondam Johannes dominus Maxwell, pater Johannis domini Maxwell latoris presencium, obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem domini nostri regis de quadraginta libratibus terrarum baronie de Maxwell cum pertinenenciis, jacentibus infra vicecomitatum de Roxburgh, et quod dictus Johauues dominus Maxwell est legitimus et propinquior heres dicti quondam Johannis domini Maxwell de dictis quadraginta libratibus terrarum cum pertinenciis ; et quod est legitime etatis ; et quod dicte quadraginta librate terrarum nunc valent per annum viginti libras monete Scotie et tempore pacis valuerunt per annum quadraginta libras dicte monete, et quod dicte quadraginta librate terrarum tenentur in capite de domino nostro rege per albam firmam, reddendo annuatim vnam rosam in festo natiuitatis sancti Johannis Baptiste, si petatur, super solum capitalis messuagii dicta-

rum terrarum, et quod dicte quadraginta librate terrarum nunc existunt in manibus dicti domini nostri regis, tanquam domini superioris earundem, per mortem dicti quondam Johannis domini Maxwell, et per mortem quondam Roberti domini Maxwell, aui prefati Johannis domini Maxwell, qui Robertus habuit liberum tenementum dictarum quadraginta librarum terrarum ad tempus vite sue reservatum, quiquidem Robertus obiit circa festum Omnium Sanctorum ultimo elapsum, et sic extiterunt a tempore obitus dicti quondam Roberti, in defectu veri heredis jus suum hucusque non prosequentis : In cuius rei testimonium sigilla quorundam qui dicte inquisitioni intererant, vacuum sigillo predicti vicecomitis presentibus sunt appensa, anno, mense, die, et loco supradictis.¹

54. CHARTER by KING JAMES THE THIRD, to HERBERT HERRIES, of the lands of Terregles, Kirkgunzeon, and others. 3d May 1486.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto consanguineo nostro Harberto Herys, filio et apparenti heredi David Heris de Terriglis, militis, omnes et singulas terras et baronias de Terriglis, Kirkgunzene, et dimedietatem baronie de Vr, cum teneutibus et tenandriis earundem et pertinenciis, jacentes infra senescallatum nostrum de Kirkcudbright, et vicecomitatum nostrum de Drumfries, ac etiam omnes et singulas terras de Moffetdale et Avindale, Tonyrgath, Locartby et Hodum, cum pertinenciis, jacentes infra senescallatum nostrum Vallis Annandie, et omnes et singulas terras de Barnwele cum pertinenciis, jacentes infra vicecomitatum nostrum de Are, necnon omnes et singulas terras de Fee et Rowle, jacentes infra vicecomitatum nostrum de Roxburgh, ac omnes et singulas terras et annuos redditus de Myretoun cum pertinenciis, jacentes infra vicecomitatum nostrum de Wigtoun, et omnes et singulos annuos redditus quoscunque dicto David pertinentes jacentes infra vicecomitatum nostrum de Striueling : Quequidem terre, baronie, cum teneutibus et tenandriis earundem, et annuis redditibus predictis cum pertinenciis, fuerunt prefati David hereditarie, et quas idem David, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras, apud Edinburgh, per fustem et baculum, et suos procuratores ad hoc legitime constitutos, sursum reddidit, pureque simpliciter resignavit, ac totum jus et clameum que in dictis terris cum teneutibus, tenandriis et annuis redditibus cum pertinenciis, habuit seu habere potuit, pro se et heredibus suis omnino quitumclamavit imperpetuum : Tenendas et habendas omnes et singulas prefatas terras et baronias de Terriglis, Kirkgunzen, et dimedietatem baronie de Vr, cum tenentibus, tenandriis et libere tenencium servitiis earundem, ac etiam terras de Moffetdale, Avindale, Tonyrgath, Locartby et Hodum, Barnwele, Fee et Rowle, Myretoun, necnon annuos redditus antedictos cum pertinenciis, dicto Harberto et heredibus suis, de nobis et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas, etc. . . . Faciendo inde annuatim dictus Herbertus et heredes sui, nobis et successoribus nostris, jura et servitia de dictis terris, baroniis, annuis redditibus, tenentibus, tenandriis, ac advocacionibus ecclesiarum et capellaniarum cum pertinenciis, ante predictam resignacionem nobis debita et consueta : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus reuerendissimo in Christo patre, Wilhelmo Archiepiscopo Sancti Andree, reuerendis in Christo patribus, Roberto episcopo Glasgouensi, Wilhelmo episcopo Aberdonensi, dilectis consanguineis nostris Colino comite de Ergile, domino Campbele et Lorne, cancellario

¹ A Crown Precept followed upon this Retour, dated 3d May, and Lord Maxwell was infeft there- on on 12th May 1486.—[Original Sasine at Terregles.]

uostro, Daud comite de Craufurde, domino Lindesaye, magno camerario nostro, Audrea domino Avaudale, Wilemo domino Borthuic, magistro hospicii nostri, dilectis clericis nostris, magistris Daud Lewingstoun, preposito de Lincloudane, nostri secreti sigilli custode, Archibaldo Quhitlaw, archidiacono Laudonie, secretario nostro, et domino Alexandro Scot, rectore de Wigtoun, clerico nostrorum rotulorum et registri, apud Edinburgh, tertio die mensis Maii, anno Domini millesimo quadringentesimo octuagesimo sexto, et regni nostri vicesimo sexto.¹

55. SASINE of ANDREW HERRIES, son of Herbert Lord Herries, of the barony of Kirkgunzeon and half of the barony of Ur. 148 . [Indorsed 1486.]

IN nomine Domini Amen : per hoc presens publicum instrumentum cuuctis pateat euidenter et sit notum quod anno ab Incarnacione Domini millesimo quadringentesimo octuagesimo mensis uero die indictione quarta, pontificatusque sanctissimi in Christo patris et domini nostri, domini Innocentii diuina prouidencia pape octauis, anno , in mei notarii publici et testium subscriptorum presentia personaliter constitutus honorabilis vir Robertus Carleill, vicecomes de Drumfres in illa parte per supremum dominum nostrum regem, ut michi notario publico infrascripto sub quarta parte magni sigilli supremi domini nostri regis medio tempore luculenter constabat, personaliter accessit ad capitale messuagium omnium et singularum terrarum baronie de Kirkgunzen, necnon ad capitale messuagium omnium et singularum terrarum dimedietatis baronie de Vr, iacentium in vicecomitatu de Drumfrece infra senescallatum de Kyrkcuthbrycht, habens et tenens in manibus suis dictum mandatum siue sasine preceptum, quod quidem mandatum siue sasine preceptum michi notario publico infrascripto perlegendum tradidit ; quo per me perlecto, et per dictum Robertum veraciter intellecto, ipse Robertus vicecomes ut supra statum, possessionem et sasinam hereditariam omnium et singularum terrarum prescripte baronie de Kirkgunzen, necnon omnium et singularum terrarum dimedietatis baronie de Vr, cum tenandiis et tenandriis prouido viro Thome Carleill, certo actornato nobilis et egregii viri Andree Heris, filii et heredis apparentis Herberti Heris de Terreglis ac domini feodi totius domini de Terreglis, vt michi notario publico per sufficientem litteram actornati sub alba cera supremi domini nostri regis luculenter constabat, ac eundem Thomam actornatum et actornatorio nomine ipsius Andree in realem, actualem et corporalem possessionem omnium et singularum prescriptarum terrarum baronie de Kirkgunzen, ac omnium et singularum terrarum dimedietatis baronie de Vr, cum suis pertiueniis, tenandiis et tenandriis per donationem terre, ligni et lapidis ut moris est induxit, et mediante iuris solempnitate investiuit ; seruando tamen liberum tenementum omnium et singularum prescriptarum terrarum cum pertinentiis predicto Herberto Heris de Terreglys patri ipsius Andree, pro omnibus et singulis diebus [et] terminis sue vite, iuxta et secundum vim, formam, seriem et vigorem carte supremi domini nostri regis et precepti sasine desuper directi : Super quibus omnibus et singulis actis, factis, gestis et recitatis prefatus Thomas actornatus et actornatorio nomine ut supra a me notario publico subscripto sibi fieri petiit publicum seu publica istrumentum seu instrumenta quotquot essent uecessaria : Acta erant [hec] super solum prescriptarum terrarum baronie de Kirkgunzen et dimedietatis baronie de Vr, apud le Reid Castell et Culquhawane, hora quasi tertia post meridiem, sub anno, die, mense et ponti-

¹ On the 1st of June 1486, a charter was granted by King James the Third to Andrew Herys, son and heir-apparent of Herbert Herys of Terregles, of

the lands and baronies of Terregles, Kirkgunzeon, etc.—[Original Charter at Terregles.]

ficatu quibus supra ; presentibus ibidem Roberto Carleill iuniore, Patricio Dungalsoune, Thoma Robertstone, Roberto Carleill, Johanne Lowris, Johanne Atzin, et Johanne Broun, testihus ad premissa vocatis et specialiter rogatis.

Et ego Johannes Makhome presbyter diocesis Glasguensis, publicus auctoritatibus imperiali et regia notarius, premissis [*etc., in forma communi*].

56. BOND OF MANRENT by ALEXANDER STEUART of Garules to JOHN, FOURTH LORD MAXWELL. 1st August 1486.

BE it kende till all men be thir present lettres, me, Alexander Steuart, son ande apparand ayr to Alexander Steuart of the Garules, to be bunde and oblist, ande be thir present lettres ande the faith ande treuthe in myn bodie, lelelie ande treulie bindis ande oblis us in manrent ande seruicie, baith in peix ande in we[ir], till ane noble mann, Johnne lord Maxwell, that I salbe till hyme leill and trow to the said lorde, and sall nouthir heir his seath nor se it, bot I sall let it, iuwarn him in all possibill haste, ande geve he asksis me ony counseill I sall geve him the best that I can, ande geve he schawis me ony I sall conseill it, ande I sall tak aue afauld vprycht part wyth him in all his lefull honest causis ande querellis at al my gudlie pouer, first ande befor all vtheris that leve may or dee may, excepend myn allegiance to our souerane lord the king ande my carnale father Alexander Steuart forsaide, for all the termes aude tymes of fife zeris nixt ande immediatly folouande the dait of thir presentis, but fraude or gyle : In wytnes of the quhilk thing to this myn letter of manrentship, becaus I had na seill in presence of myn awyne, wyth instance I haf procuryt the seill of the said Alexander myu father to be put at Kirkmachoo, the first day of the moneth of August, in the zeir of God i^mccccxxxvi zeris befor thir wytnes, Johue M^eDowell, Thomas Steuart, burges of Drumfrece, Robert Wallace ande Johnne M^eHome, uotar, wyth vtheris diuers.

57. INDENTURE between JOHN, FOURTH LORD MAXWELL, and CUTHBERT MURRAY of Cokpule, as to injuries inflicted during a feud. 4th September 1486.

THIS indentur, maid at Edinburghe the ferd day of September, the zher of God i^m iiiⁱc lxxxvi zheris contenis, proportis, and beris witnes, that it is aponctit and accordit betuixt [aue] rycht nobill lorde, Jhone [lord] Maxwell, his kin and frendis, ou the ta parte, and ane worschipfull sequer, Cuthbert Murray of the Kokpule, his kin aud frendis, on the tother parte, in form and maner as eftir [followis], that is to say, anentis hurtis, harmes, slachteris, and spoliationis of gudis committit and don be athir of the saidis parteis till vtheris in tym[es] bigane ony maner of way : In the first, that the said Cuthberte, his brethir, barnis, kin, and frendis that was at the bargane of Blakschaw handlyng of the lord Maxwellis persone and slauchter of his eme, Maister Jhone of Maxwell, and vtheris beaud in his company at that tyme, and for the hurting of vtheris his frendis, sall cum to the Merkat Cros of Edinburghe or Drumfres, or quhat vther place at plessis the said Lord best, in thair lynyng elathis, in the maist lawly wis thai can, and ask the said lord, his kin, and frendis forgiveness of the rancor of thair hertis. Item, the said Cuthbert salbe bundin, and sal bind his airis in speciall manrent and seruice to the said lord Maxwell and his airis perpetually, in pece and wer, first and befor all vtheris, his allegiance to our souerane lord alanerly out taue, and his seruice to ane nobill lord Andro, lord Avau[dale], and sall giff his letter and seil heirapone in

the best form. Item, schir Adam of Murray, brother german to the said Cuthbert, Jhone of Murray, his sone and appering aire, Charles of Murray, brethir, and sonnys to the said Cuthbert, salbe bundin inlikwis in manrent and seruice, first and befor all vtheris, to the said lord, for all the dais of thair lyffis, thair allegians to our souerane lord alanerly out tane, the said lord giffand competent fee to the said Charlis and Cuthbert as afferis sic gentilmen to haue, be his avne discretione and lettris of manteinans to al the fornemmit personis in gud and sikker forme as afferis :

Item, the said Cuthbert sall acquite him, with als mony as plesis the said lord, that the said Maister Jhone Maxwell was slane aganis his will and vnewittynge, and at he wald haf sawit him and he nicht haue wone to him. Item, the said Cuthbert sal for the saule heil of the said Maister Jhone infest a prest of ten pundis of anwell, perpetualy to singe in the Kirk of [C]arlaueroke, within ane zher, and the said lord and his airis to be patronis thairto, and in the meyntyme sal ger a prest sing for the said Maister Jhonis saule. Item, he sal ger a prest sing ane zher for ilkane of thair saulis that was slane at the said feld, in the said kirk. Item, the said Cuthbert of Murray sall ger thre of the persons that was in the said feld to pas, ane to Sanct James, and to the haly bluid of Welsuake, and thar to do suffrage, and in the [v]ale of Sely, as afferis, and bring document thairapone. Item, for the manzeyng of Jhone of Maxwell, Robert M^eBrar, and Thomas Blakstok, the said Cuthbert sal gif xxx lib. Scottis at the Lord Maxwellis will, and to be diuidit be him to thaim as it plesis him. [Item as], it is murmuryt that the said Cuthbert sold haue bin the caus . . . or for . . . slauchter of [. . .]ell, Stewart of Anerdail in the [. . .] sall acquite him thairof, with als mony gentilmen as plessis the said lord, or vndirly the declaration of ane assis . . . ony person will accus him thairof he . . . it with his person to the deid, and gif the said Lord suspectis ony of the said Cuthbertis folkis of the said slauchter, the said Cuthbert sal enter thaim to the law . . . the name thairof beand gevinte to him in write, or to be purgit sic lik as afferis himself. Item, all vther personis that [were in] the feld plessis the said lord [sall be] bundiu to him in manrent and seruice for all the days of thair liffis befor all vtheris [thair] allegians out tane. Item, the said Cuthbert [sall] mak ane mendis greabill to all that war hurt in the said feld, be the sycht and ordinans of Edward Maxwell of Tynwald, George Maxwell of . . . and Harbart Gledstanis of . . . be consideratione of thair quencians efter the quantite of the scaith. Item, the said Lord Maxwell sall caus and ger be inaid siclik [to the] said Cuthbert for [the] slauchter that was slain be the fairsaid lordis frendis and men, that is to say, to ger ane prest sing for ilkane of thaim ane zer in the Kirk of [Rwe]ll and sal cum to the . . . and thare ask the said Cuthbert and thair frendis forgevinness in lawly wis, as is beforsaid. Item, the said lord sall gif a sufficient lettre of slanis of vnquhile Jhone Maxwell, and for all the laif of the personis that was slain with him, to the said Cuthbert and his frendis, committaris of the said slauchter. Inlikwis, the said Cuthbert [sal gif] sufficient lettres of slanis to the said lordis folkis committaris of the slauchteris of the said Cuthbertis folkis, betuix this and Zule next to cum. Item, anent the spolzey and away takin of al gudis, takin be ony of the saidis parteis fra vtheris or be thair folkis, tha sal stand and abid at the deliuerans and ordinans of the persons vnder vrittin, for . . . and his freindis, Harbart of Maxwellis, son and appering aire to Edward Maxwell of Tenwald, Nichol M^eBrair, alderman of Drumfres, and for the said Cuthbert and his freindis . . . Lyndesay of Firgarthe, and Jhone Carns of Orchertone, and George Heris of Torauchte to be ouerman, the quhilk v personis salte oblest and . . . deliuer efter thair quencians. Item, anentis the debatis spolzeyng of guidis betuix

a nobill lord, Jhone lord Carlil his frendis and men on the ta parte, and . . . Item, the said Cuthbert sal gif his obligatione, in the best form vnder the seil, to the said lord for the payment of vic merkis, gif that this infetment beis nocht kepit nor fulfillit in ane zer, as said is, and to pay it within xl dais efter the out passing of the said zere, in the Kirk of Carlawerok, apone the he altar of the samin; for the fulfilling of the said infetment; and to the observing and fulfilling of al thir conditionis aboue writin, bath the saidis parteis ar bundin and oblist to vtheris, [be] the fathis in thair bodis, the haly ewangelis tuechit, and for the mair witnessing herof to thir eudentouris thai haif interchangeable . . . thair awne handis day . . . and place aboue writin. CUDBERT OF MURRAY.

58. BOND OF MANRENT by ROBERT HAMILTON of Prestoun to JOHN, FOURTH LORD MAXWELL. 30th October 1490.

BE it kend till all men be thir present lettres, me, Robert Hammiltone of Prestone, grantis me to becummy n man in manrent and seruice to a nobile lord, Johne lorde Maxwele, for all the dais of my lyve, myne allegeans to our souuerane lorde the king, ande to my cheif the lord Hammiltone excepit, and I sall be lele ande trew to my said lord, ande ryd and serue him at my power with body and gudis, baith in pece and in wer, ande sall be with him aganis all that de or leif may, myn allegeans outtane as said is, and sall be redy therto quhen I am chargit therwith be him, and sall nother here nor wit his scaith nor apperand perell to the said lord, bot I sall warne him therof at my gudly power in all possable haist, and sall gif him the best counsale I can quhen he requiris me therwith, ande sall kepe his counsale secret gif [he] ony schawis to me, and herto I bind and oblis me lelely and treuthly be the faith of my body: In witnes herof I haue affix to my sele, at Edinburgh, the penultin day of October, the zere of God i^m iiⁱⁱⁱc and nynty zeris.

59. BOND OF MANRENT by SIR ALEXANDER STEWART and ALEXANDER STEWART, his son, to JOHN, FOURTH LORD MAXWELL. 15th February 1490.

BE it kende till all men be thir present lettres, ws, Sir Alexander Stewart, and Alexander Stewart, son and apperand ayr to the said Sir Alexander, to becummy n men ande servandis in manrent ande seruice, bath in peace ande in weyr, till ane nobile lord, Johne lord Maxwell, for maryage to be made betuix the said lord ande Agnes Stewart, dochter to me the saide Sir Alexander, ande sister to me the said Alexander, that we salbe till him leill ande trew, ande nother here his seath nor se it, bot we sall lett it at our power, ande gife we may nocht, we sall warne him in all possibill hast, ande gif he askis ws ony counsale we sall gif him the best we can, ande gif he schawis ws ony consale we sall conceil it, ande at we sall take ane afaulde vprycht part with him in all his honest ande lefull causis ande querellis fyrst ande befor all that leyf ande dee may, except our allegeance till our souerane lord the king, ande our seruice till ane nobile ande mychti lord, Patrik Erle of Bothuell: In witnes heroff to this our letter of manrent ande seruice lelely ande treuly to be kepit, ande till indur for all the tyme and termes of sevy n zeris next ande immediat folowande the date of thir presentis, I, the said Sir Alexander, hanc sett to my seill, and I, the said Alexander, because I had na seill propir of myne awne present, I hanc with instance procurit the seill of the saide Sir Alexander my fadir, for me to be put to thir presentis, at Carlawerok, the xv day of the moneth of Februarii, [the] zer of God i^m eccc fourscor and ten, befor thir witness, Sir Peter Stewart, chapellane, Johne M'Dowell and Johne of Crawford, with vtheris diuers.

60. ORDINANCE by the COMMISSIONERS appointed by HENRY THE SEVENTH, KING OF ENGLAND, and JAMES THE FOURTH, KING OF SCOTLAND, in regard to certain lawless proceedings on the Borders. 26th March 1494.

THIS indentour, maide at Caldstreame, the xxvj day of the moneth of Marche, the zeire of God j^m iiij^e nyntie and foure zeris, contenis, proportis and beris witnes that it is appointit and concordit betuix the reuerend, noble and wirschipfull lordis and persons, that is to say, a reuerend fadir in God, Richart bischope of Sanct Assaph, Thomas lord Dacre, Schir Williame Tyler, knycht, lieutenent of the toun and castell of Berwik, Johnne Herron of Fnrde, lienetenent of the Est Middill Marchis anenst Scotland, Schir Johnne Mnsgraif, knycht, Johnne Herron off Chopcherche, Johnne Cartingtoun, aud Eduerd Redlif, squyeris, commisionaris and deputis to the moste excellent, hie and mychtie prince Herry, be the grace of God king of Inglande and of France, etc., ou the toon part, and the reuerend fadir in God George bischope of Dulkeldin, William lord Borthnik, Thomas abbot of Jedworth, Maistir Alexauder Inglis, Archidene of Sanctandrois, Walter Kar of Cesfurd, Patrick Hume of Fastcastell, George Hume of Wedderburne, Schir Alexander Scott, parson of Wigtonn, and Maistir Richart Lawson, commissionaris and deputis to the moste excellent, hie and mychti prince James, be the grace of God king of Scottis, on the tother partye, in forme and maner as eftir followis : that is to say, anentis the complainte maide be the prioure of Cannoby, Johnne the Grahame, his bailze, and the tenentis and inhabitantis of the landis of Canaby, Scottishmen, apon Alexander Charletoun, George Charletoun, his broder, Hewe Wilkinson, Richard Wilkinson, his brodir, Williame Robson and Williame Robson, Robert of Doddiss, and Arche his sone, and thar complicis, Inglishmen, for the takin away of certane ky, oxin, and horse, certane scheip and gait, and brynning and hirscheip and sprethe of gudis contenit in the bill of complante gevin in be the said Scottishmen, the Lordis and Commissionaris foresaid of both the partiis eftir the hering of the said complante and probations takin tharuppon, haith filed the said billis, and ordanit the samyn to be redressit as ane atemptat committit and done aganis the trewis with the donble, and as for all vther atemptatis the Lordis and Commissionaris foresaidis, by auctorite of thar kingis and princes, haith ordanit the wardanis, lienetenentis and thar deputis, of both realmes, to apponte and sett days of trewis and metingis at convenable places als oftin as salbe sene speidfull, for making of reformatioun and redres of suche atemptatis as ar vnredressit befor, according to the forme of the trewis, providing always that this dicte and appointment now maid do no preindice to the diete appointit in the last trewis takin at Edinburgh : In the quibiche it is appointit that certane commissioneris of both realmes suld mete at Lochmabane stane, the viij day of August nixt to cum, for to put ane finale end to the Fischegarht and all debatable landis, eftir the forme of the said trewis, and as at mare lentht is contenit in the samyn : and for the witnessing of the premissis the Lordis and Commissioneris foresaid haith interchangeit thair commissiones, and subscriuit thir indentouris, interchangeable with thar awne handis, the day, zeir, aud place aforesaid.

The pransepall instrument ramanyn in the Regester of Scotland.

61. COMMISSION OF BAILLIERY by JOHN, ABBOT OF HOLYWOOD, appointing JOHN, FOURTH LORD MAXWELL, and ROBERT and SIR HERBERT, his eldest and second sons, bailies of the Barony of Holywood. 13th May 1495.

BE it kende till all men be thir present letres, vs, Johne, be the permissioun of Gode abbot of the Halywoude, of the ordour of Premonstratensians and of the diocie of Glasgwe, and the hale comment of the said Abbay all togeder, with a consent and assent, withoutyn ony discrepance, for our vtilite and proffet, for til haif made, constitute and ordanyt, and be thir present lettres makis, constitutis and ordanis ane noble and mychtie lorde, Jhone Lord Maxwell, Robert of Maxwell, his son and apperande ayre, Schir Harbert of Maxwell, secunde sone naturale and lauchtfull to the said lorde, oure verray lauchtfull and wndoutit balzeis, of all and syndri our landis of our barony of the Halywoude, with the pertinentis, and of all and syndri vtheris our landis quhatsumeuer lyand within the scherefdome of Drumfres, for all the tymes and termes of nyntene zeris, nixt and immediatlie followande fra the Witsondaye furth nixt and immediatlie followand the dait of the making of thir presentis ; gevande and grantande till our saidis balzeis, ande til euerilkane of thaim, coniunctlie and seueralye, our verraye fre plane pouer, speciale and generale mandment, express bydding and chargis, for ws and in our nayme, and vpone our behalfis, all and syndry the malis, fermes, and gerssumis of the forsaidis landis, for til ask, lyft, rasawe and inbrenge til our vtilite and proffet, and for thaim for to punynde ande distrenze, in forme of law, geve nede bee, the court or courtis of the samyn landis, with the pertinentis, for to gare cry and schute, hald, set, conferme ande begynne, sutis and tenentis to gar cal, absentis and transgressouris for to punysche, the amerciamentis and eschetis of the samyn for till ask, lyft and rasave, ande inbring til our vtilite and proffet, and for thaim to distrenze and puynde, in forme of law, as forsaid is, the men, tenentis ande inhabitantis within the boundis of our saidis landis thare gudis or cattallis quhatsumeuer, befor quhatsumeuer juge or iugis, spirituale or temporale, thai sall hapyne for to be attachite or accusit befor, for quhatsumeuer cause or causis, for to replege and rednce hayme agane to the priuilege, liberte and fredome of our said barony of Halyvoud ; borowis and colrathis for to fynde, court or courtis for to set for justice to be mynisterit to the parteis plenzeande, the aithe of suthfastnes of manrentschip and lawte to be kept till ws ande oure saidis balzeis, coniunctlie and saneraly, endurande the saidis termes, for to tak, ande generalie all ande syndry vtheris thyngis for to do, vse and excerse and hant that to the officis of sik lyk balzeis vpone law or custome of this realme ar knawyn to pertene, and at we our self mycht doo ande we ware thare in proper personis ; ande geve sic thyngis be that askis a mare command, ferme and stabill haldand, and for till haue, all and quhatsumeuer thyngis our saidis balzeis, or ony ane of thame, coniunctlie and seueraly, dois or ledis to be done in our names in the executioun of thir present materis, in ony part of thame, endurand the termes forsaidis, but fraud or gyle. In vitnes of the quhylk thyng to this oure present letre of pouere of balzerie ve haue appendit oure commoun seill, at the said Abbay of Halywoud, the xiiij daye of the moneth of Maii, in the zer of Gode a thowsand foure hundreth nyntee and fyve zeris.¹

¹ A similar grant of bailiery was made by the same Abbot of Holywood to the same Lord Max-

well and his sons, Robert and Herbert, dated 14th February 1502.—[Original Grant at Terregles.]

62. REVOCATION by ANDREW HERRIES of his Procuratory of Resignation of the lauds of Terregles, Kirkgunzeon, and others. 3d December 1498.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno Incarnationis Dominice millesimo quadringentesimo nonagesimo octauo, mensis vero Decembris die tercia, indictione secunda, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexaudri diuina prouidentia pape sexti, anno septimo, in excellentissimi et serenissimi principis et domini nostri, domini Jacobi quarti regis Scotorum inuictissimi, testinque et nostrorum notariorum subscriptorum presencia personaliter constitutus nobilis vir, Andreas Heris filius et heres apparens nobilis domini Herberti domini Heris de Terriglis et dominus feodi vt asseruit omnium et singularum terrarum in cedula inferius inserta contentarum, quamquidem cedulam sine literam de verbo ad verbum per os Mathci Doweile presbyteri ac vnius notariorum subscriptorum perlegi causauit ; cuius tenor sequitur in vulgari :

IN the presens of our Souerane Lordis Hienes and the reuerend, noble and mychty lordis of his connsale now beand present for this tyme, I, Andro Herys, sone and apperand are to Herbert Lord Heris of Terriglis, schawis to your Hienes and lordschippis, and to thir uotaris and witnes here present, that forsamekle as I, the saide Andro, in my zouthaide, and nocht of lauchfull uor perfite age, maid certane procratouris to resigne in the handis of our saide Souerane lordis hienes all and hale thir landis vnder writtin, that is to say, the landis of Terriglis, Kirkgunzeane, the half barony of Wr, Hoddome, Tollyrgarth, Lokerby, Hwtonu, Avendale, Moffetdale, Kirkandres, the fee of Rowle, Berneweile, Symontoun, and the twenty merkis worth of annuell of the Skeanthe, with the pertinents, the quhilk procratour of resignation I maid in my zonthheide and vnperfit age, as saide is, be causatioun, seduction, and tysting of ane noble and mychti lord, Archibald Erle of Angus, lord Dowglass, and chancellor of Scotland for the tyme, quhilk promittit to me the tyme of the making of the saide procratour, that he suld caus our souerane lordis hienes to gif agane the saide landis, with donatiouns of kirkis of the sammyn, with wardis, releiffis, and mariagis, gif thai hapinnyt to me, the saide Andro, and to Jonet of Dowglas, his dochtir, and to the barnys to be gottin betuix us, and failzeing thair of the sammyn to retorne agane to me, the saide Andro, and to my nerrest aeris, and that the saide resignation suld nocht be maid quhil I or my lauchfull actornai war personally present, and warnit thairto be the saide lord cancellare to cum and resane agane the saide laudis : the quhilk nocht beand done it suld be lefull to me, the saide Andro Herys, to reuolk and annull the saide power and resignatioun maid be me to resigne the saide landis, and the sammyn to be of nane avale, strenth, force, nor effect tharefter in tyme cummyng, lik as at mare lenth is contenit in certane indenturis maid betuix the saide lord and the saide Jonet, his dochtir, one the ta part, and me the saide Andro one the tothir part, and becaus the saide lord Erle has alluterlie failzeit in the obseruing, keiping, and fulfilling of the saide indenturis, and has causit the saide landis to be resignit, myn vnwitting, contrare myn will and consent, nocht beand warnit thairto efter the forme of the saidis indenturis, nor zit has causit the saide landis to be gevin agane to me be chartir and saising, nor zit warnit me thairto efter the form of his promitt, nor myne actornis, bot has in defraude and preiudice of me causit the forsaide hale landis, with donatioun of kirkis, wardis, releiffes, and mariagis be gevin be our saide souerane lord to the saide Jonete his dochtir in heretage, contrare the forme of the saide indenturis, Heirfor I, the saide Andro, in the presens of your hienes and lordschippis, renolkis, cassis, and annullis the forsaide resignatioun swa maid be me and myn procratouris, in the handis of your excellence, of all and sindri the forsaide landis of Terriglis, Kirkgunzeane, the half barony of Wr, Hoddome, Tollirgarth, Lokerby, Hwtoun, Avendaile, Moffetdale, Kirkandris, the fee of Rowll, Berneweile, Symontoun, and the twenty merkis worth annuell of the Skeanthe, with the pertinents, togidder with the donatioun of the kirkis of the

sammyn wardis, releiffes, and marriagis, and all vthir thingis done be me, specifyt and conteuit in the saide lettir of procuratory for the causis forsaide, and als becaus that I was of noneage the tyme of the making of the saide procuratory, and zit is, and als that our souerane lordis hienes, quhilk resauit the saide resignatioun, he vertew of the sammyn, was nocht of lauchfull nor perfite age in the tyme, and protestis solemplie that the making of the saide procuratory nor resignatioun passit tharuppon, the resauyng of the sammyn be our saidis souerane lordis hienes, nor zit the chartir, state, nor saising gevine to the saide Jonet Dowglas tharapone, turne me nor myn aeris to na preiudice, bot that I ma haue the remeid and priuelege of the law quhen and quhare it efferis, and regres to my saide landis, siclike as I had of before the making of the saide procuratory, sene it is lefull to me to reuolk and annull the sammyn gif the saide lord failzeit to me, as saide is, like as is at mare lenth contenit in the saide indenturis, and of this myu reuocatioun I ask zow notaris instrumentis, ane or mai, and this writt to be comprehendit in the sammyne :

QUA littera siue cedula de verbo ad verbum tam in sepefati domini nostri regis quam testium et notariorum subscriptorum presencia vt predicatur perlecta, idem Andreas Herys, tanquam dominus feodi earundem omnium terrarum subscriptarum, iuxta et secundum tenorem eiusdem et contentorum in eadem, realiter et cum effectu reuocauit, cassauit et in forma vberiori qua potuit, propter causas in eadem littera contentas et expressatas, pro reuocatis, cassatis et annullatis habere voluit et vlt, ac omnes et singulas alias alienatioues per ipsum de terris antedictis aut de aliis terris quibuscunque sibi pertinentibus tanquam heredi antedicto cuiusque persone factis similiter et simili modo solo verbo reuocauit, cassauit et annullauit in forma suprascripta et vberiori quibus eciam melius potuit et debuit pro reuocatis, cassatis et annullatis habere voluit et vlt : Super quibus omnibus et singulis prefatus Andreas Herys a nobis notariis publicis subscriptis sibi fieri peciit hoc presens publicum instrumentum siue publica instrumenta : Acta erant hec infra capellam regiam situatam infra locum monasterialem sancte crucis prope Ediuburgh, hora quasi decima ante meridiem vel eacirca, sub anno, mense, die, indictione et pontificatu quibus supra ; presentibus ibidem reuerendo in Christo patre Andrea permissione diuina episcopo Morauienti, egregio domino Johanne Fresell, electo confirmato Rossensi, nobili et potenti domino Wilelmo domino Borthuic, Wilelmo Borthuic filio et apparente herede dicti domini Wilelmi domini Borthuic, nobilibus, egregiis et venerabilibus viris dominis Adam Hepburne fratre germano nobilis et potentis domini Patricii comitis de Bothwele domini Halis, Alexandro Ramsay de Dalhowsy, Patricio Crechtoun de Cranstone Riddaile, Alexandro Borthuic, militibus, Johanne Borthuic de Crukstoune, domino Daud Arnot archidiacono Sancti Andree infra archidiaconatum Laudouie, Magistris Andrea Inglis, Wilelmo Sandelandis, Johanne Maitlaud, dominis Andrea Makbrek, Johanne Andirsoun, Daud Kingorne, Wilelmo Riddale, presbyteris, et Wilelmo Cunnynggham generoso, cum diuersis aliis testibus ad premissa vocatis pariter et requisitis.

Et ego Matheus Doweill, oppidamus Edinburgi, presbyter Sancti Andree diocesis, publicus sacris auctoritatibus apostolica imperiali et regali notarius, quia prescripte litere lecture et protestationi ceterisque [*etc., in forma communi*].

Et ego Thomas Thomsoun, presbyter Sancti Andree diocesis, publicus auctoritatibus imperiali et regali notarius, quia premissis [*etc., in forma communi*].

Et ego Henricus Alani, archidiaconus Dumblandensis, publicus auctoritatibus imperiali et regia notarius, quia premissorum omnium procuratorum renunciacioni, cassationi et annullationi ceterisque [*etc., in forma communi*].

63. OBLIGATION by SIR WILLIAM DOUGLAS of Drumlanrik, Knight, to JOHN, FOURTH
LORD MAXWELL. 4th June 1509.

BE it kend til all men be thir present lettres, me, William Dowglas of Drumlanrik, knyght, to be bundin and oblist, and be thir present lettres and the faith and treuth in my body lelely and treulie bindis and oblistis me, my airis, executouris and assignais, til ane noble lord, Johnne Lord Maxwell, his airis, executouris and assignais, that forsamekle as the said lord has bund and oblist him effir the tenour of certane indenturis made betuix him and me, that Sir Robert Maxwell, knyght, sonn and apperand are to the said lorde sall, God willing, mary and haue to spous Jonete Dowglas, my dochter, betnix the day of the date hereof and the Purificatioun of oure Lady, callit Candilmes, next toem, and that the said lord sall, within xl dais effir the completing of the said mariage, gif in coniunctfeftment be charter and sesing in the sikkirrest forme, to the saidis Robert and Jonete, and to the langer leuare of thame, and to the airis lanchfully to be gottin betuix thame, all and sindri the landis of Hessildene, Tydwod and Humby, extending to xxv merkis worth of land of ald extent, liand in the barony of the Meranys within the shirefdome of Renfrew, togidder with the landis of Glencapil, Glenhowane, and the merkland of the Langside, with the pertinence, liand in the barony of Carlauerok within the shirefdome of Drumfreis, extending to vther xxv merkis worth of land of ald extent; For the quhilk caus I bind and obliss me, my airis, executouris and assignais to the said lorde, his airis, executonris and assignais in the sovmme of 1^m lib. vsuale money of Scotland, to be pait be me to him in maner as effir folowis, that is to say, the sovmme of iij^c merkis at the feist of Mertymes nixt effir the date hereof, and j^c merkis to the Sir Robert at the feist of Witson-day thereafter, and fyfty pundis to the said lord at the feist of Mertymes nixt thereafter, and safurth termlic fyfty pundis at Mertymes and Witsonday, ay and quhill the complete payment of the said sovmme of j^m lib. ffor the payment of the quhilk sovmme at the termmes foresaid, I the said Williame biudis and obliss me, myne airis, executonris and assignais foirsaidis, to the said lord, his airis, executouris and assignais, in the stratest forme and stile of obligatioun that can be maid, myne and thare landis, rentis, possession and gudis, movable and vnmovable, present and to cum, na remede of law, ciuil nor cannoun, act nor statute of Parliament to be allegit or proponit in the contrare: In witnes hereof, to this my obligatioun I hane affixt my sele and snbscriuit the sammyn with my hand, at Glenneslane, the ferd day of Junii, the zere of God 1^m v^c ix zenis.

VILZEM DOWGLAS of Drumlanrik, kynt:

64. BOND OF MANRENT by SIR ROBERT GORDON of Glen, Knight, to JOHN, FOURTH
LORD MAXWELL. 3d February 1512.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno incarnationis Dominice millesimo quingentesimo duodecimo, mensis vero Februarii die tertio, indictione prima, pontificatusque sanctissimi in Christo patris et domini nostri domini Julii diuina providencia pape secundi anuo decimo, in mei notarii publici et testium subscriptorum

presentia personaliter constitutus honorabilis vir Robertus Gordoun de Glen, miles, fideliter obligavit se et heredes suos in homagio et servicio nobili et potenti domino, Johanni domino Maxwell, et heredibus suis imperpetuum primo et ante omnes mortales, salva allegiantia sua supremo domino nostro regi et successoribus suis Scotie regibus, ac etiam salvo et excepto comite de Bothuile moderno pro tempore vite sue tantum et solummodo : Super quibus omnibus et singulis premissis actis, factis, gestis, et recitatis prefatus Johannes dominus Maxwell a me notario publico sibi fieri petiit publicum instrumentum : Acta erant hec in ecclesia parochiali de Drumfres, in insula beate Marie virginis inibi sitnata, hora nouena ante meridiem vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem honorabilibus et prouidis viris Gavino Kennedy de Cumstoun milite, Eduardo Maxwell de Tynwald milite, Nicholao M'Brayr preposito de Drumfres, Johanne Gordoun de Hardland, dominis Johanne Edgar vicario de Carlawerok, Amero Edgar rectore de Carutheris, Petro Kirkpatrick et Roberto Edgar, cum dinersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Turnour, presbiter Glasguensis diocesis, publicus sacra auctoritate apostolica notarius, quia premissis [*etc., in forma communi*].

65. RETOUR of the SERVICE of ROBERT, FIFTH LORD MAXWELL, as heir of his father, JOHN, FOURTH LORD MAXWELL, in the lands of Garnsalloch and Dursquhen.
4th November 1513.

HEC inquisitio facta fuit apud Drumfres, in pretorio eiusdem, quarto die mensis Nonembris anno Domini millesimo quingentesimo xiiij°, coram honorabili viro Johanne Charteris de Lochtown vicecomite de Drumfres, Renfrew, Lanark et Roxburgh, ac senescallo de Kyrcombrycht in hac parte, virtute certe commissionis supremi domini nostri regis sub testimonio sui magni sigilli specialiter constituto, per hos probos subscriptos videlicet, Vilelmum dominum Carlile, Robertum dominum Crechtoun de Sanquhar, Jacobum Jhonstone de eodem, Thomam Kyrkpatrik de Kilhosberne militem, Johannem Murray de Cokpule militem, Simonem Carrutheris de Mouswald, Johannem Carrutheris de Holmendis, Michaellem Lyndesay de Fargarth, Herbertum Maxvel de Kyrconale, Carolum Pollok de eodem, Johannem Kyrkpatrik de Rokelheid, Thomam Corry de Kelwod, Johannem Kyrpatrick de Alisland, Ricardum Carnis de Barnbachil, Johannem Asloane de Gareach, Johannem Glencors de Stroneschillach, Jacobum Hamiltoun, Vilelmum Carnis, Vilelmum Law, Andrean Alansone, Michaellem Thomsone, Johannem Gledstans, et Vilelmum Somerville, qui iurati dicunt quod quondam Johannes dominus Maxvel, pater Roberti Maxvel obiit vltime vestitus et satus ut de feodo ad pacem et fidem supremi domini nostri regis de totis et integris terris de Garnsallach et Durisquen cum suis pertinenciis, iacentibus infra vicecomitatum de Drumfres, et quod dictus Robertus est legitimus et propinquior heres eiusdem quondam Johannis sui patris de dictis terris de Garnsallach et Durisquen cum suis pertinenciis, et quod est legitime etatis, et quod dicte terre de Garnsallach et Durisquen cum suis pertinenciis nunc valent per annum quadraginta libras, et tempore pacis valuerunt viginti libras, et quod dicte terre de Garnsallach et Durisquen cum suis pertinenciis, tenentur in capite de supremo domino nostro rege in alba firma, reddendo inde annuatim dicto supremo domino nostro regi unum denarium argenti in festo sancti Kyutigerni in ecclesia de Kyrkmacquhno, si petatur, et quod dicte terre de Garnsallach et Durisquen, cum suis pertinenciis, nunc existunt, in manibus supremi domini nostri regis legitime per seipsum, tanquam in manibus domini superioris earundem, per mortem quondam dicti Johannis domini Maxwell, ob defectum prosecutionis

veri heredis ius suum hucusque minime prosequenti a nono die mensis Septembris vltime transacti
 aute confectionem presentis inquisitionis, quia tunc obiit dictus quondam Johanues. In cuius rei
 testimonium sigilla quorundam eorum qui dicte inquisitioni intererant facieude, sub inclusione sigilli
 predicti vicecomitis et seneſcalli, presentibus sunt appensa, anuo, die et loco prescriptis.

66. COMMISSION by MARGARET, QUEEN-DOWAGER OF SCOTLAND, Governor to her son,
 King James the Fifth, appointing ROBERT, FIFTH LORD MAXWELL, to be Captain
 of the Castle of Thrave and Steward of Kirkeudbright. 26th November 1513.

MARGRETE, be the grace of God Quene of Scotland, tutrice testamentare and gouernoure to oure
 derrest son the king, to all and sindry quhom it efferis quhais knaulege thir oure lettres salcum,
 greting: Wit ze ws to haif maid, constitute and ordaut, and be thir oure lettrez makis, constitutis,
 and ordanis oure louit cousing, Robert Lord Maxwell, capitane and kepare of the castell of [Thrave],
 with powere to mak and constitute vnder him constabillis, wachmen, jevellouris, and all other
 officiaris nedefull for the keping of the said castell, for the quhilkis he salbe haldin to ansuere,
 and als we haif made, constitute, and ordanit, and be thir present letters makis, constitutis, and
 ordanis the said Robert, stewart of the stewartry of Kirkeudbrich, for all the termes of nynetene
 zeris nixt tocum, gevand and grantand to him full powere, and speciale mandment, stewart courtis
 to sett, begyn, hald, affirme, and contiue, soytis to call, absentis to falt, trespassouris to punys;
 amerciamentis vnlawis, and eschetis to rais, and therfor, gif neid be to distrenze; brevis of the
 kingis chapell, directt to him, pertenyng to his office, to ressaue, opin, and deulie mak be seruit,
 pleyis and questions mouit, and to be movit in the said courtis, to here, decide, and finalye
 determc, and to mak deputis and officiaris nedefull vnder him in the said office of Stewartry, for
 the quhilkis he salbe haldin to ansuere, and generalie all vthir and sindry thingis to do that
 pertenis to the said office; haldin, and for to hald ferme and stabill all and quhatsumeur thingis
 the said stewart or his deputis in the premisses richtwislie ledis to be done. The said Robert
 Lord Maxwell havand zerelie induring the said nynetene zeris, for the keping of the said castell, all
 feis, proffittis, and deviteis pertenyng to the keping of the samyn, and to the bigging, vphalding, and
 reparatioun therof, and sieklike as ony vthir capitane had for the keping of the said castell of
 befor; and als we gif and assignis, be thir our letrez to the said Robert the malis, proffittis, and
 deviteis of the manes and landis pertenyng to the said castell, and liand aboute the samyn, male
 fre duriug the said termes of nynetene zeris, for the vphald, bigging, and reparatioun of the said
 place and castell, quhilk is falty, ruinois and fallin down in diuers partis, chargeing the auditouris
 of the chekker and comptrollar being for the tyme to mak thankfull allowance of the samyn
 zerelie to the chawmerlane of Galloway in his comptis: Quhafor we charge straitlie and comandis
 all and sindry quhom it efferis, that ze and ilkane of zou reddelie intend, ansuere, and obey, to the
 said Capitane and Stewart and his deputis in all thingis concernyng the said officis, and als to
 him of the proffittis and deviteis of the said manes and landis induring the said termes of nynetene
 zeris, vnder all the hiest pane and charge that eftir may follow: Gevin vnder the kingis signete, at
 Perth, the xxvi day of Nouember, the zere of God 1^m v^c and xiii zeris, and of the kingis regne
 the first zere.

MARGARET R.

A large, elegant handwritten signature in dark ink, appearing to read 'Margaret R.' with a long, sweeping flourish extending from the bottom right.

67. BOND OF MANRENT by GEORGE MURRAY, brother to John Murray of Cokpule,
to ROBERT, FIFTH LORD MAXWELL. 13th August 1514.

BE it kend till all men be thir present lettres, me, George Murray, broder to aue honorable man, Johne Murray of Cokpule, knyght, for to be cummyne man, and be thir present lettres becommis man, and bindis and oblissis me in manreutship and servise to ane noble and mighty lord, Robert lord Maxwell at the wil of the said lord to be his man of houshold or retinew for all the dais of my life, and I sal tak ane afald and vpricht part wyth the said my lord in al and sindry his actionis and causis houest and lefull, movit or to be movit in were and in pece, aganis al dedly person, my allegiance to our soueran lord the King alanirly outtane, and I sal novder wit lak dishonour nor scaith to my said lord, but I sall mak him or his warnyng therof, and stop it at al my gudly povir, and I sal gif the said lord the best and trevast consale I can quhen he requiris me therwith, and concele and kepe secrete his consale schavin to me, and this present band of manreutship to indure in forme forsaid for al the dais of my life, bnt frand or gile: In witnes of the quhilk thing, becaus I had naue sele propir in presens of my avin, I hane procurit with instance the sele of ane worschipfull man, John Asloaue of Garrehauch, to thir present lettres for me to be affixt at the college of Linelovdane, the xiii day of Angnst the zer of God ane thovsant fyve huudreth and fourtene zeris, beffor thir witnes Johne Charteris of Amisfeld, Petir of Kirkpatrick, and Robert Edgar, with vtheris diuers.

L. S.

68. BOND OF MANRENT by JOHN M'CLELLANE in Auchlyne. 22nd June 1517.

BE it kend till all men be thir present lettres, me, Johne M'Clellane in Awchleyne, to be bundyn and oblissit, and be the faith and trewth in my bodye, lelelie and trewlye byndis and oblissis me to ane nobill and mychti lord, Robert Lord Maxwell, in maurent and servise for all the dais of my lifym, at I sall tak ane afawld vpricht part with the said Robert Lord Maxwell in all his actionis lefull and honest, geif him the best conesall I cau, and he ask it, conncell his counsall and he schaw me it, ryd and gang with hym quhen he chargis me, warn hyme of his scaith and I beyr it, suple and defend hym with my body and gudis at all my pover quhen he chargis me, aganis all at leif or dee ma, my allegiauns to our soueran lord the king and my cheiff alanerlye exceptit, and als I, the said Johne, sall stop the scaith of the said Robert Lord Maxwell at my pover quhen I her it. This my present manrent and band sall stand force, form, and effek, for all the dais of the lyf of me the said Johne: In witnes of the quhilk thyng, becaus I had na seile present propyr of my avne, I haf procurit with instans the seile of ane worschipfull man, Cuthbert M'Byrne, burges of Drumfres, for me to be put to thir presentis, togydder with the subscriptionn of my hand at Drumfres, the xxii day of Jvne, the zer of God j^m v^c and sewynteyn zeris.

JOHNE M'CLELLEN in Auchleyne, with my hand, etc.

69. BOND OF MANRENT by GILBERT MACKCLELANE in Reycharne. 13th January 1517.

BE it kend to all men be thir present lettres, me, Gilbert Mackelelane in Reycharne, to be bundin and oblist, and be thir present lettres and the faitht and treuth in my body, lelelie and treulie

bindis and oblissis me in manrent and service to ane nobill and nichti lord, Robert Lord Maxwell, and becummis man and seruand to the said lord at his will to be of houshald or retinew indurand all the daiis of my lif, and faithfully bindis and oblissis me, as said is, to be leill and trew man and seruand to the said Lord Maxwell, my maister, and sall nother heir nor se his skaytht, bot sall latt it at my power, and warne him therof, and I sall conceill the counsale that the said lord my maister shawis to me, and sall gif to him agane the best leil and trevest counsale that I can quhen he ony askis at me, and I salbe redy with my kyn, freyndis, seruandis, and all that dependis apoun me, to ryd or gang with the said lord my maister, als oft as I or thai salbe warnit and chargit tharto, and do him afauld trew thankfull service att all our power, baytht in pece and in weir, and tak ane afauld wpricht playne pairt with him in all and sindri his actionis, caussis, and querrellis mowit or to be mowit quhatsumeuir, contrar and agane all thai that de or leif may, myne allegians to our souerane lord the King, my lord Gouvernour his tutour, and als my lauteth and service to my cheif of the hous that I am cumin of alanerlie outtane, and thir my lettres of manrent for all the daiis of my lif forsaid to indur : In witnes of the quhilk thing to thir present lettres, becaus I had na seile propir of my awin, I haf procurit with instance the seile of ane honorabill man, Jhone Rig in Drumfres burges, to be put to this my present manracht, togidder wyth the subscriptione of my hand, at Drumfres, the xiii day of Januar in the zer of God ane thousand fiv hundreth and xvii zeris, befor thir wytnes, Jhone Makelellane, Patrik McClellane, Jhone Haliday, Schir Adam Gledstanis, wyth wtheris diuers.

GILBERT MAKELELLANE, wyth my hand.

70. BOND OF MANRENT by JAMES DOUGLAS of Drumlanrig. 13th September 1518.

BE it kend till all men be thir present lettrez, me, James Dowglace of Drumlangrig, to becumin man and seruand, and be thir present lettrez becumis man in speciale retinewe, manrent, and seruiz till ane noble lord, Robert Lord Maxwell, to be with hym in peax and in weir, manrent and seruiz, befoir and aganis all thame that levis and dee may, for all the days of my life, myne allegiance till oure souerane lord the King and his gouernour alanerly exceptit, and I sall geif my said lord the best counsale I can, geif he ony askis me, and I sall keip his counsale secrete geif he ony schawis me, and I sall nouthir heire, see, nor wytt ony maner of scaith, hurt, or harm to my said lord, bot I sall stop and lett it at all my vtir power, and geif I may nocht stop it I sall incontinent warn hym thairof, and I salbe redy nycht and day lait and air to do my said lord seruiz all tymes quhat tyme I happin to be waruit be my said lord or his writing : In witnes of the quhilk thing, to this my band and lettrez of manrentschip subscriuit with my hand, my propir sele is affixit at Drumfreis the xiii day of September, the zeir of God j^m v^e and auchtene zeris.

JAMES DOWGLAS of Drumlanrik, wyth my hand.

71. BOND OF MANRENT by WILLIAM GORDON of Craiglach. 7th July 1519.

BE it kend to all men be thir presentis letteris, me, William Gordon, lard of Craiglach, to be bund and oblessit, and be the faith and trewth in my body, lelelie and trewlie byndis and oblesis me to an riht honorable and mighty lord, Robert Lord Maxwell, in afawld band of manrent, for

all the dayis and termes of sevyne zeris nixt and imedietly followand the dait of thir presentis, and sall all tymis of the said sevyne zeris do hym gud and stedfoll sernece efter my power, I beand requirit therto, na person nor man beand exceptit, excepend my allegiance to our soueran lord the King allanerly; and geve it sall happyn hym to ask counsaill at me in ony mater, I sall at my knowlege and wnderstanding geve hym the best I can, and sall all his counsaill schawyn to me kep secret and not revell to na person nor personis, and forder sall do hym all awaill sted, sernece, and manrent that efferis ony man till do to his master efter my possebilite in all and sindrye pontis, als weil nochte naymt as namyt, indvrand the space and tyme of the forsaidis sevyne zeris, boit frawd or gill: In witnes of the quhilk thing I haue subscribit this present letter of manrent at Wigton, the vii day of Julii, in the zer of God i thowsand v^e and xix zeris.

WILLIAM GORDON, wyth my hand at the pen, etc.

72. BOND OF MANRENT by SYM OF JOHNSTON of Poldene and DAVID JOHNSTON of Herthop. 30th December 1520.

BE it kend till all men be thir present lettres, ws, Sym of Johnstoun of Poldene and David Johnstoun of Herthop, to becummin men and seruantis, and be the tenour of thir present lettres becumis men and seruantis of speciale retinew, manrent, and seruic to ane noble and mychty lord, Robert Lord Maxwell, etc., to be with hym in peax and in weir, manrent and seruic, first and befor all vtheris, for all the days of our lifis, aganis all deidly, oure allegiancis to our souerane lord the King alanerly except, and salbe redy to do our said lord seruice be nycht or day with all that we may stere, and be on hors or fute as he pleis, and sall nouthir here, se, nor wyt his skayth ony maner of way, bot we sall stop and lett the samyn at our power, and gef we may nochte lett it we sall warn hym therof in all gudly haist and lett it at our vtir power, and gef he ony counsaile askis ws, we sall geif hym the best we can, and gef he ony shewis ws, we sall keip the samyn secrete, and sall euir be redy hereto quhen we ar warnit be our said lordis writtin or sendin, for all the dais of our lifis in form abone writtin, but fraude or gyle, be the faithis and treuthis in our bodeis: In witnes of the quhilk thing we haue subscriit thir our lettres and band of manrent with our handis, at Lochmabane, the penult day of December, the zere of God j^m v^e and xx zeris, befor thir witnes, Edwart of Maxwell, Johne of Maxwell, Robert Johnstoun, Sir William Scharpe, and James Anderson, notar public, with diuers vtheris, and attour this, except in this band to the said Sym and David thir our lordis that thai hald thar landis of, to do thaim seruic efter the form of ther infetmentis.

DAVID OF JHONSTON, wyth my hand.

SYM OF JHONSTON, wyth my hand at the pen.

73. BOND OF MANRENT by JOHN HERYS of Maby. 21st February 1520.

BE it kend to all men be thir present lettres, me, Johnne Herys of Maby, my barnis, kyn and frendis that I may ster, to [be] bound and oblist, and be the fayth and trewth in our bodeis lely and trewly bindis and oblissis ws, and all that I, the said Johnne Heris, and my barnis may ster, to ane noble and michtie lord, Robert Lord Maxwell, in manrent, speciale retinew, and seruic for all the days of my lif, myne allegiance to our souerane lord the King allanerly except, and my cheif,

the Lord Herys, he being present on the feild, to be with my said lord in pece and in weir, first and befor all vtheris except befor except, and I salbe redy with my barnis, kyn, freindis and seruantis, and all at I may ster, to do my said lord seruis quhen euir he chargis or warnis me therto, be nycht or day, be his sendin or writtin, and geif he ony consell askis me, I sall gef hym the best I can, and geif he ony shewis me I sall keip the samyn secrete : In witnes herof to this my present band my sele is affixit at Drumfres, the xxi day of Febrnar, the zere of God j^m v^c and xx zeris.

JOHNE HERYs, wyth my hand at the pen.

74. BOND OF MANRENT by ALEXANDER STEWART of Garrules. 2d August 1521.

BE it kend till all men be thir present lettrez, me, Alexander Stewert of Garrules, with consent of my curatonris quhatsumenir, to becumin man and seruant to ane noble and mighty lord, Robert Lord Maxwell, to be with hym in pece and in weir first and befor all vtheris, myne allegiance to our souerane lord the king allanerly except, and that for all the days of my lyfe, and I salbe redy to do my said lord seruice quhen he chargis me, with my kyn, frendis, seruantis, and all that I may ster, and geif he ony consell askis me, I sall gef hym the best I can, and gef he ony shewis me, I sall keip the samyn secrete, and I sall nouthir wyt, here, nor se my said lordis skayth, nor dishonour, bot I sall stop and latt the samyn at my vter power, and gef I may nocht latt it, I sall warn hym therof in all gudly haist at my power, to the kepin and fullfilling herof in all pointis I bynd and obliss me, lely and trewly, be the fayth and trewth in my body, but fraude or gyle : In witnes herof to thir lettrez, subscruiit with my hand, my sele is affixit, at Wigtonn, the secund day of Augnst, the zere of God i^m v^c and xxi zeris, and attour I bynd and obliss me, faythfully, in maner forsaid, to my said lord, to renewe this my band to his lordschip at my perfite age.

ALEXR. STEWART of the Garles, wyth my hand.

75. LETTERS by KING JAMES THE FIFTH, with consent of John Duke of Albany, Regent of Scotland, appointing ROBERT, FIFTH LORD MAXWELL, Keeper of Lochmaben Castle. 7th October 1522.

JAMES, be the grace of God King of Scottis, to all and sindry our liegis and subditis quham it efferis, quhais knowlege thir our lettres sal cum, greting : Wit ze ws, with anise, auctorite, and consent of our derrest cousing and tntour, Johne Dnk of Albany, etc., protectour and gouernour of oure realme, to haue maid, constitute, and ordanit, and be thir our lettres makis, constitutis, and ordanis onr louit cousing and counsalour, Robert lord Maxwell, capitane and kepar of the castell of Lochmaben, boundis and fortalice thairof, for all the tyme and space of nynetene zeris, quhilk castell the said Robert has now in keping of ws, be oure letteris vnder onre grete sele, for termes zit to rin, as our saidis lettres proportis ; his entre to the keping of the samyn to begin of new the day of the date herof, and thaireftir to endure : To be haldin and to be had the keping of the said castell of Lochmaben, with the boundis and fortalice tharof, to the said Robert and his airis, of ws and our sneccessouris, ay and quhill the saidis nynetene zeris be full and togiddir complete and outronnyne ; with power to him and his airis, constablis, portaris, geuillouris, wachmen, garitouris, and all vtheris, officiaris and ministeris vnder thame necessar for keping of the said castell, to mak, constitute, and ordane, for the quilkis he and his airis salbe haldin to ansner during the said space ; with all vtheris priuilegis, fredomes pertenyng or may pertene thairto : For the keping of the quhilk castell we gif

and assignis to the said Robert and his airis all landis, fischingis, proffittis, feis and dewites pertenynge, or may pertene thairto, and siclike as he or ony vtheris, capitaneis of the said castell, had for the keping of the samyn in ony tymes bigane, to be browkit, joysit and disponit be him and his airis, captaneis of the said castell, at thair plesour, and as thai sall think maist expedient during the said nyetene zeris ; quhairfore we charge straitlie and commandis zou, all and sindry our liegis and subditis foresaid, that ze, and ilkane of zow, redelie intend, ansuer and obey to the said Robert and his airis, in all and sindry thingis concernyng the keping of the said castell during the tyme forsaid, vnder all pane and charge that eftir may follow. Gevin vnder oure priue sele, at Edinburgh, the sevynt day of October, the zeir of God ane thousand five hundreth twenty twa zeris, and of our regne the tend zeir.

Per signaturam manu dicti domini Gubernatoris subscriptam, etc.

76. BOND OF MANRENT by ALEXANDER STEWART of Garles to ROBERT, FIFTH LORD MAXWELL. 16th July 1523.

BE it kend till all men be thir present lettrez, me, Alexander Steward of Garles, to becommyn man and seruand, and be thir present lettrez becommis man and seruand, and lelely and treuly bindis and obliissis me to ane noble and mighty lord, Robert Lord Maxwell, ffirist and befor all vtheris, in speciale manred and seruice ffor our tua lifymes, myn allegiance to our souerane Lord the King alanerly outtane, ffor his gud lordschip fawouris and suple, lik as his letter of manteinance maid therapon proportis ; and I, the said Alexander Steward of Garles, salbe lele and trew man and seruand ffor this day forward to the said Robert Lord Maxwell, my forsaid lord and master, ffor our tua lifymes as said is, and I sall ryd gang and be in were and in pece wyth my said lord and master, and I sall tak his afald trew and vpricht part with my self, my kin, frendis, men and seruandis, and with all that I may ras on hors and on futt, baitht in weir and in pece, in all and sindry his actionis, causis, and querelis honest and lefull, movit and to be movit, quhen I salbe requirit or warnit be word or writ, and als vnrequirit or warnit quhen I sall knaw, here, or see, it sall stand to the lif or honour, or lefull and honest action of my said lord and master aganis quhatsumeuir person or party at all my gudly power ffor our tua lifymes, my allegiance alwais to our souerane lord alanerly except, and I sall neuer wit, here or see, lak, skatht, or dishonour of my said lord and master, bot I sal mak him warnyng tharof with trew diligence, and sall stop it at all my gudly pover ; and gif my said lord and mastar askis me ony consale, I sal gif him the best and trewest I can, and I sal concele his consale gif he ony schavis to me ; To the obseruyng, keping, and fulfilling of this my band of speciale manred and seruice to my said lord and mastir, in form and effect in al pontis as is abone writtin, I bind and oblis me fathfully, in the mast sekir form and stratast stile of obligation that can be maid or diuisit, but all cauillation, fraud, or gyle ; and gif it sal happin, as God forbeit to doo, me, the said Alexander Steward of Garles, to reuoke or discharge this my forsaid band of speciale manred and seruice, als oft I ratify, approvis, and makis the samyn agane of new, be the tenour of thir present lettres, to my said lord and mastir, in form and effect in all pontis befor expremitt, to stand vnreuocably and inuiolably ffor our tua lifymis, but fraud or gyle, my allegiance to our souerane lord alwais except : In witnes of the quhilk thing to thir present lettres, subscruiit with my hand, my sele is appensit, at Drumfres, the xvi day of July, the zere of God ane thovsant fyve hundretht twenty and thre zeris.

ALEXR. STEUART of Garles, wyth my hand.

77. BOND OF MANRENT by JAMES GORDON of Lochinver. 1525.

BE it kend till all meu be thir present lettres, me, James Gordonne of Lochinwer, to becnmmyu man, and be the tenour of thir present lettres becummis man, and bindis and oblissis me, be the faith and trenth in my body, in speciale manrent and seruice, to ane noble and mighty lord, Robert Lord Maxwell, at the will of my said lord, of houshald or retinew, ffor all the dais of my life, and I, the said James Gordonne of Lochinwer, bindis and oblissis me faithfully, be thir present lettres, to be lele and trew man to the said Robert Lord Maxwell ffor all the dais of my life, as said is ; and I sall ryd and gang wyth my said lord and master quhen he chargis me, and sal tak his afauld trew and vpricht part wyth my self, my kin, frendis, men and serwandis, and all thai I may steir, first and befor all vtheris, baith in were and in pece, in all and sindry his actionis, causis, and querelis, honest and leful, movit and to be movit, aganis quhatnmenir person or persons, my liegeance to our souerane lord the King and his gouernour gif ony beis for the tyme alanerly outtane, and I sal neuer heir or see the skaith or dishonour of my said lord and mastir, bot I sal warne him in gndly haist tharof, and stop it at my pover, and gif he askis me ony consale, I sall gif him the best and trevast I can, and sall concele and kepe secret his consale gif he sall ony schav to me ; and to the keping and fulfilling of this my present band of speciale manrent and seruice to the said Robert Lord Maxwell, ffor all the dais of my life in all poyntis efter the tenour of the samin, I, the said James Gordonne of Lochinwer, bindis and oblissis me faithfully, be thir present lettres, as said is, to the said Robert Lord Maxwell in the mast sekir forme and stratast stile of obligation that can be maid or diuisit, al canillation fraud and gyle secludit and awayput : In witnes of the qnhilk [thing] to thir present lettres my sele is affixt at Drumlangrig the ¹ day of September [the zere of God] aue thovsant fyve hundreth twenty and fyve zeris.

L. S.

78. LETTERS by ROBERT, FIFTH LORD MAXWELL, receiving John Armistrang as tenant in free heritage of Langholm, etc. 4th August 1525.

BE it kend till all men be thir present lettres, me, Robert Lord Maxwell, wardane of the west marchis of Scotland fornentis Ingland, and haiffand of oure sonerane lord the King the landis and lordschip of Eskdale, ffor till haue tane and ressaut, and be the tenor of thir present lettres takis and ressanis my lonit frend, Johne Armistrang, tennent in fre heretaige to the landis vndirwritin with thair pertinentis, that is to say, the landis of Dalbeth, the landis of the Scheld, the landis of Dawblane, the landis of Stabillgortoun, the landis of Langholm, and the landis of Tcvioteschelis, with thare pertinentis, lyand in the lordschip of Eskdale, within the schirefdom of Drumfres ; and als for the gude and thankfull seruice done and to be done to me and my aris be the said John Armistrang and his airis, I grantt me to haue enterit hym to the saidis landis in fee and heretaige, to be haldin of me and my aris as lordis of Esdale for euer mare, efter the form of his infetment : In witnes of the qnhilk thing to this my letter of entres, snbscruiit with my hand, my sele is hungin, at Drumfres, the ferd day of August, the zere of God j^m v^o and xxv zeris, before thir witnes, John, Abbot of Dundranan, Schir Herbert M'Brare, cheplane, Herbert Gledstanis, Andro Herys, and James Andersen, with diuers vtheris.

ROBERT L. MAXWELL.

¹ Worn away in MS.

79. NOTARIAL COPY OF LETTER by KING JAMES THE FIFTH, in favour of the promotion of DEAN JOHN MAXWELL to be Abbot of Melrose. 21st September 1525.

IN Dei nomine amen : per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno incarnationis Domini millesimo quingentesimo vicesimo quinto, mensis vero Septembris die vicesimo primo, indictione xiii^a pontificatusque sanctissimi in Christo patris et domini nostri, domini Clementis, diuina pronidencia pape septimi anno secuudo ; In mei notarii publici et testium infrascriptorum presentia personaliter constitutus serenissimus princeps et dominus noster, Dominus Jacobus quintus Dei gratia Scotorum rex illustrissimus, litteram sequentem ydeomate Scotico confectam sua manu propria subscripsit, ac omnia in eadem contenta presentis publici instrumenti tenore approbavit et ratificauit, cuiusquidem littere tenor de verbo in verbum sequitur et est talis, eius suprascriptione sic incipiente :

REX,—We ratify and approvis our supplicatioun seud to our haly fader the Paip for the promotioun of deue Johne Maxwell, abbot of Duudranan, bruther germane to our cousing and counsalour Robert Lord Maxwell, to the abbacy of Melros within our realme, and revokis all lettres, gif ony be, send in our uame incontrar our first lettres of supplicatioun seud for the said dene Johne Maxwellis first promotioun, and we know nocht gif we haue writtin in the contrar, be this writing, subscriuit with our hand at Edinburgh, the xxi day of September, the zeir of God 1^m v^c xxv zeris, and for mair verificatioun of the samin, I am content that this my approbatioun and revocatioun be put in forme of instrument as efferis. Subscriptio talis est JAMES R.

Super quibus omnibus et siugulis prelibatus dominus Maxwell a me notario publico subscripto sibi fieri peciit vnum seu plura publicum seu publica iustrumentum seu instrumenta. Acta erant hec in turre palacii regii prope monasterium Sancte Crucis iuxta burgum de Edinburgh, horam circa septinam ante meridiem, sub anno, die, mense, indictione et pontificatu quibus supra, presentibus ibidem nobili et potenti domino Archibaldo comite Augusie, domino Douglas, Willelmo M^cClowy, Johanne Wod, et Johanne Donglas, curu diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Malwil arcium magister clericus Sauctiandree diocesis, apostolicaque auctoritate notarius publicus, quia premissis [*etc., in forma communi*].

80. BOND OF MANRENT by JOHN ARMSTRONG to ROBERT, FIFTH LORD MAXWELL.

2d November 1525.

BE it kend till all men be thir present lettres, me, Johne Armstraug, ffor to [be] bound and oblist, and be the tenour of thir present lettres, and faith and trenth in my body, lelie and treulie bindis and oblissis me and myne airis to aue noble aud miehtie lord, Robert Lord Maxwell, wardane of the West Marchis of Scotland, etc., that ffor samekle as my said lord hais geui and grantit to me and myne airis perpetuallie the nonentres of all and hale the landis vndirwrittin, that is to say, the landis of Dalbeth, Scheild, Dalblane, Stapilgortoun, Langholme, and Crwsnovte, with thair pertinentis, lyand in the lordship of Eskdale, as his gift maid to me thairuppon beris in the self, and that for all the tyme of the nonentres of the samyn, heirfor I, the said Johne Armistrang, bindis and oblissis me and myne airis, in manrent and seruice to the said Robert Lord Maxwell and his airis for euir mare, first and before all vtheris, myne allegiance to our souerane lord the King allanerly except ; and to be trewe, gude and lele seruantis to my said lord, and be redy to do hym seruice, baith in pece and in weire,

with all my kyn, frendis and sernantis that I may and dowe to rais and be, and to my said lordis airis, for euir mare, and sall tak his trewe and plane part in all maner of actions at myne vtir power, and sall nonthir wit, heir, nor se oure said lordis skaith, lak nor dishouestie, bot we sall stop and lett the samyn, and geif we dowe nocht lett the samyn we sall warne hym thair of in all possible haist, and geif it happinnis me, the said Johne Armistrang, or myne airis, to faile in our said seruice and manrent any maner of way to oure said lord, as God forbeid we do, than and in that cais the gift and uonentes maid be hym to ws of the saidis landis of Dalbetht, Scheild, Dalblane, Stapilgortoun, Langholme and Crwsnowte, with the pertinentis, to be of non auale, force, nor effect, bot the said lord and his airis to haue fre regres and ingres to the nonentes of the samyn, but ony pley or impediment, to the keping and fulfilling of all and sindry the premissis in form abone writtin, I bind and obliiss me, and my airis forsaidis, to the said lord and his airis for euermare, be the faithtis and trewthis in our bodeis, but fraude or gile : In witnes of the quhilk thing to thir lettres of manrent, subscruiit with my hand at the pen, my sele is huugin, at Drumfres, the second day of Nonember, the zeir of God 1^m v^e xxv zeris.



JOHN ARMISTRANG, with my hand at the pen.

81. COMMISSION by KING JAMES THE FIFTH to ROBERT, FIFTH LORD MAXWELL, to be Warden of the West Marches. 28th January 1525.

JACOBUS Dei gratia rex Scotorum, vninersis et singulis ad quorum noticias presentes littere peruenierint, salutem : Sciatis quia nos ex deliberatione domiuorum nostri secreti consilii fecimus, constituimus et ordinauimus, ac tenore presencium facimus, constituimus ac ordinamus dilectum consanguineum nostrum Robertum dominum Maxwell nostrum gardianum Occidentalium Marchiarum regni nostri versus Angliam, videlicet, infra bondas de Anuanderdale, Eskdale, Ewisdale, Nethisdale et Galloway, cum omnibus feodis ad officium gardiani spectantibus, dantes et concedentes dicto nostro gardiano pleuariam potestatem et mandatum speciale curiam seu curias gardiani dictarum occidentalium marchiarum infra bondas predictas statnendi, iuchoandi, affirmandi et teneudi ; ac omnes et singulas ligeos et subditos nostros infra easdem bondas, ac accedendi secum in sercicio nostro vbi et quociens per eum nostro nomine requisiti fuerint pro defeusione nostri regni et ligeorum nostrorum ac resistencia nostrorum veterum inimicorum Anglie et persecutione furum et proditorum suscitandi et ad arma conuocandi ; statutaque ordinationes et regulas desuper faciendi, transgressores et delinquentes contra statuta et ordinationes predictas aliosque inobedientes et rebelles si qui fuerint infra predictas bondas corrigendi, castigandi et puniendi iuxta quantitatem suorum delictorum et formam juris, vexillumque nostrum si necesse fuerit in resistendo et inuadendo dictos nostros veteres inimicos et alios inobedientes et rebelles si qui fuerint infra prefatas bondas excitandi et gerendi ; ac plegios de hominibus patric pro bono regimine habendo capiendi, et si aliqui persone dictos plegios tradere refntauerint quod ipse noster gardianus ac gardianus orientalium marchiarum dicti nostri regni insimul concurrant et ipsos refutantes per nostram suamque auctoritatem ad huiusmodi plegios inueniendos compellant, necnon officarios et ministros pro premissis necessarios substituendi, depntandi ordiuandi et jurari faciendi, et generaliter omnia alia et singula faciendi, gerendi et exercendi que in premissis et circa ea necessaria fuerint seu quomodolibet oportuna : ratum et gratum habentes et

habitori totum et quicquid dictus noster gardianus suique officarii et ministri in premissis rite duxerit seu duxerint faciendum : Quare vniuersis et singulis ligeis et subditis nostris quorum interest vel interesse poterit stricte precipimus et mandamus quatenus dicto nostro gardiano suisque officariis et ministris in omnibus et singulis premissa tangentibus prompte respondeant, pareant et intendant, sub omni pena que competere poterit in hac parte : presentibus pro spatio nouem annorum proximo post datam earuudem in suo robore duraturis : Datum sub nostro magno sigillo, apud Edinburgh, vicesimo octauo die mensis Ianuarii anuo Domini millesimo quingentesimo vicesimo quinto, et regni nostri decimo tertio.¹

82. CHARTER by KING JAMES THE FIFTH, appointing ROBERT, FIFTH LORD MAXWELL, to the office of Chief Carver to the King for life. 4th July 1528.

JACOBUS Dei gratia rex Scotorum : omnibus probis hominibus suis ad quos presentes litere peruenerint salutem : Sciatis quia fecimus, constituimus et ordinauimus, ac tenore presencium, facimus constituimus et ordinamus predilectum consanguineum et consiliarium nostrum Robertum dominum Maxwel nostrum principalem incisorem, vulgo carvour nuncupatum, pro toto tempore vite sue, cum potestate eidem iu dicto officio ministrandi, et id per semetipsum et suos deputatos, quos constitnere sibi potestatem concedimus, exercendi, simili modo et adeo libere sicut vlli alii memoratum officium retroactis temporibus exercuere ; pro cuiusquidem officii vsu et exercicio dedimus et concessimus, ac tenore presencium damus et concedimus, prefato consanguineo nostro omnia feoda et deuoria de eodem debita et consueta : et sicut vlli alii pro eo elapsis habuere temporibus : Tenendum et habendum prelibatum officium, cum omnibus feodis et deuoriis de eodem debitis et consuetis, prefato consanguineo nostro pro toto tempore vite sue, libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sine aliqua reuocatione aut contradictione aliquali : Quare nostris thesaurario et compotorum nostrorum rotulatori nunc presentibus et qui pro tempore fuerint precipimus et mandamus quatenus ipsi et eorum alter pro parte sua gratam prefato consanguineo nostro suorum feodorum et deuoriorum annuatim sua durante vita solucionem faciant : et eadem dictis nostris thesaurario et compotorum rotulatori in eorum compotis annuatim nostro in scaccario per eiusdem auditores allocabuntur : quibusquidem auditoribus precepimus ipsos de dictis feodis et deuoriis in eorum compotis annuatim defalcare huiusmodi nostris literis coram prelibatis auditoribus super compota semel in dicto nostro scaccario ostensis, et iu rotulis eiusdem vt congruit registratis : In cuius rei testimonium magnum sigillum nostrum presentibus apponi precepimus, apud Edinburgh quarto die mensis Iulii, anno Domini millesimo quingentesimo vicesimo octauo, et regni nostri decimo quinto.

83. BOND OF MANRENT by JOHN CARMICHAEL of Meadowflat, to ROBERT, FIFTH LORD MAXWELL. 15th October 1528.

BE it kend till all meu be thir present lettres, me, Johne Carmichell of Medowflat to becummy n man, and be thir present lettres becummis man, and bindis and oblissis me in speciale manred and

¹ There are, in the Charter-chest at Terregles, similar Commissions by Mary Queen of Scots and King James the Sixth to the Lords Maxwell to be Wardens of the West Marches, dated, respec-

tively, 20th March 1543, 19th December 1544, 3d June 1546, 29th March 1550, 26th August 1573, 4th June 1575, 27th April 1581, 30th April 1581, and 28th July 1592.

service to ane noble and mychty lord, Robert Lord Maxwell, at his will, of houshald or retinew, ffor all the dais of my life, and I, the said Johne Carmichell, salbe lele and trew man to the said Robert Lord Maxwell, and sal tak his afauld trew and vpricht part in were and in pece, with my kin, frendis, men, seruandis and all thai I may stere baith on hors and on fut, in all and sindry his honest and lefull actionis movit and to be movit aganis quhatsumeur party, for all the dais of my life, my liegeance to our souerane lord the king alanerly outtane ; and I sal neuer wit, here or see lak, skatht, or dishonour of my said lord and master, but I sal mak him warnying tharof with al diligence and stop it at al my gudly power ; and I sal gif my said lord and master the best and trewest consale I can quhen he ony askis at me ; and I sal concele and kepe secret his consale schavin to me : To the keping and obseruing of this my present band of speciale manred in al poyntis efter the tenour of the samin, I, the said Johne Carmichell, bindis and obliassis me fathfully, as said is, to the said Robert Lord Maxwell ffor all the dais of my life in the mast sekir forme and stratast stile of obligation that can be maid or diuisit, al cauillatioun, fraud and gyle secludit and awayput. In witnes of the quhilk thing to thir present lettres subscriuit with my hand my sele is affixt at Dumfres the xv day of October, in the zere of God ane thovsant fyve hundreth twenty and acht zeris.

JOHNE CARMYCHELL, with my hand, etc.

L. S.

84. RESIGNATION by JOHN ARMESTRANG in favour of ROBERT, FIFTH LORD MAXWELL,
of the lands of Langholm. 18th February 1528.

BE it kend till all men be thir present lettres, me, Johne Armestrang, to haf maid, constitut and ordanit, and be thir present lettres makis, constitutis, and ordanis worschipfull men, Robert Lesley, Schir Alexander Jardin my werray lachfull and irreuocabile procuratouris, actouris, factouris, speciale and generale messingeris and erand beraris ; giffand, grantand and committand to my sadis procuratouris, and to ilkane of thame, coniunctly and seneraly, my werray lachfull fre and plane power and speciale mandat, expres bidding and charge, for me and in my name to wpgif, purly and simply to resigne, quytclame, ourgif and deliuer, be staf and baston, and thir my lettres of procuratory and resignatioun fra me and myn ayris, all and hale the landis of Langholme and the nonentres of the samyn, with the pertinentis, liand in the lordschip of Eskdale, the quhilk nonentres I haf of ane noble and michty lord, Robert Lord Maxwell, and siclik to resigne and ourgif all my richt, clame and possessioun quhilkis I haf, or may haf, to the saidis landis of Langholme and nonentres of the samyn, in the handis of our souerane lord the king, ourlord of the saidis landis, in fawouris of the said Robert Lord Maxwell and his ayris ffor thar hereditable infetfing of our said souerane lord in the saidis landis of Langholme, with the pertinentis, and for hereditable sesing to be gevin to the said Robert Lord Maxwell and his ayris be our said souerane lordis precept tharintill ; the quhilkis landis of Langholme and nonentres of the samyn, with the pertinentis, I, the said Johne Armestrang vpgevis, purly and simply resignis, ourgevis and deliueris, and all my richt clame and possessione tharof fra me and myn ayris, be the tenour of thir present lettres, in the handis of our said souerane lord, as in the handis of the ourlord of the samyn, in fawouris of the said Robert Lord Maxwell and his ayris ffor thar hereditable infetfing and sesing of our said souerane lord to be had in the saidis landis of Langholme with the pertinentis, as said is ; and generally all and sindry vther thingis to doo, use, exerce and haunt, that to the office of procuratouris in sik thingis ordanit is knawin to

pertene, and that I my self mycht doo, and I war personally present, fferme and stable, hafand and for to haf all and qnhatsumenir thing my sadis procuratouris or ony ane of thame, coninnetly or seueraly, dois, or ledis to be done, in the forsadis bnt ony reuocationn : In witnes of the quhilk thing, my sele is hungin to thir present lettres at Drumfres, the xviii day of Februar, in the zere of God ane thovsant v^c xxviii zenis, before thir witnes, Edward Maxwell, broder to the said Lord Maxwell, Johne Maxwell, Johne Lindesay, James Guthre, and Herbert Gledstanis, with vtheris diuers.

JOHNE ARMSTRANG, with my hand at the pen.

85. BOND OF MANRENT by WILLIAM JARDING of Bawgray and others, to ROBERT, FIFTH LORD MAXWELL. 18th March 1530.

BE it kend till all men be thir present letteris, ws, William Jarding of Bawgray, Niniane Jarding of Rokkelflatt, William Jarding of the Hole, David Jarding of the Gwisgrene, William Jarding of Brerehill, William Jarding off Sevalbe, Jok Jarding, Will Moffet and all our brethir, kyn, frendis and seruandis, and all that we may steir, to be bwndyn in manreth and seruice, and be this present witting becumis in manretht and seruice to ane nobill and mychty lord, Robert Lord Maxwell, ay and quhill John Jarding now beying ayr to ane honorabill man, wmqhile Schir Alexander Jarding lard of Appilgartht, be off perfitt age till entir till his land and tak the rewle and gowernance off the samyn, na man beand exceppit bot our sowerane Lord the King alanirly, and owr cheiff ; and we sall tak the sadis lordis owr masteris plane wprycht and trew part baytht in pece and in weyr, first and befor all leiffand men excep owr said soweran lord and cheiff alanirlye ; ve sall ryid and gang wyth the said lord owr master quhen he requiris ws, and all his honest and leiffull actions, mowit or for to be mowit, quhatsumewir : we sall noldir wit, heir nor see lak, dishonour to the said lord, bott we sall warne him at owr power ; geif he askis ony consell we sall geif him the best we can, geif he schawis ws ony consell we sall conceill the samyn, and we sall failze in na thing that trew seruandis auch to do to thair lord and maister, be the fathis and trewththis in owr bodyis, but frawd or gile : To the obseruing and keping of this forsaid band we and ilkane of ws hais subscriuit this present band wyth owr handis at the pen, at the castell of Lochmaben, the xviii day of Marche, the zeir of God I^m v^c and thretty zenis.

WILLIAM JARDING of Bawgray, wyth my hand at the pen.

NINIAN JARDING of Rokkelflatt, wyth my hand at the pen.

WILLIAM JARDING of the Brerehill, for me and my brethir, wyth owr handis at the pen.

DAVID JARDING of Guisgren, and my brethir, wyth owr handis at the pen.

WILLIAM JARDING of the Hole, and my brethir, wyth owr handis at the pen.

WILLIAM JARDING of Sevalbe, wyth my hand at the pen.

JOK JARDING and his brothir, wyth owr handis at the pen.

WILL OF MOFFETT, wyth my hand tuichand the pen.

86. BOND OF MANRENT by ROBERT HERIS of Maby to ROBERT LORD MAXWELL.
11th May 1531.

BE it kend till all men be thir present lettres, me, Robert Heris of Maby, to becommyn man and seruand, and be thir present lettres becommis man and seruand, and bindis and oblissis me and my

ayris be the tenour of thir present lettres in speciale manred and seruice for euir in tyme to cum, to ane noble and mighty lord, Robert Lord Maxwell, and to his ayris, ffor thar gud lordschip favoris and suple, lik as thar letter of mantenance maid therapon proportis, first and befor all vtheris that leif may or de may, our allegiance to our souerane lord the King and his successouris and my lord Heris and his ayris our cheif alanerly outtane and except ; and I, the said Robert Heris of Maby and myn ayris, salbe lele and trew men and seruandis, fra this day forward, to the said Robert Lord Maxwell, our master, and to his ayris for euir in tyme to cum as said is, and I and myn ayris sal tak my said lord Maxwell and his ayris afald trew and vpricht part with ourselfis, our kin, frendis, men, and seruandis, and wyth all thai we may rais or steir on hors and fute, in were and in pece, in all and sundry thar actionis, causis, and querelis, honest and lefull, movit and to be movit aganis quhatsumeir person or party, lelely and treuly, first and befor all vtheris as said is, our allegiance to our souerane lord the king and his successouris, and my Lord Heris and his ayris, our cheif alwais and alanerly except and outtane ; and gif my sad Lord Maxwell or his ayris askis me or myn ayris ony consale, we sal gif him and thame the best and trevast we can, and sal tak our part tharof, and we sal coucele and kepe secret thar consale gyf thai ony schav to ws ; and I or myn ayris sal neuer wit, here, or see lak, skatht, or dishonour of my said Lord Maxwell and his ayris our masteris, bot I and myn ayris sal mak him and his ayris warnyug tharof with diligence, and stop it at al our gudly pover : to the obseruyng, keping, and fulfilling of this our band of speciale manred and seruice to the said Robert Lord Maxwell and to his ayris in al pontis abone writtin, I bind and obliiss me and myn ayris fathfully be thir present lettres to most sekir forme and stratast stile of obligation that can be mad or deuisit, but cauillatioun, fraud, or gyle : In witnes of the quhilk thing to thir present lettres, subseriuit with my hand, my sele is affixt, at Drumfres the xi day of Maij in the zere of God ane thovsand fyve hundretht thretty and anc zeris.

87. INSTRUMENT recording that ROBERT, FIFTH LORD MAXWELL, begged the pardon of ROBERT DALZIEL of that ilk, for slaying his grandfather, William Dalziel. 5th February 1533.

IN Dei nomine amen : per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quingentesimo trigesimo tercio, mensis vero Februarii die quinto, indictione septima, pontificatus sanctissimi in Christo patris et domini nostri domini Clementis diuina prouidentia pape septimi anno vndecimo, in mei notarii publici et testium subscriptorum presencia personaliter comparuit potens et nobilis dominus Robertus dominus de Maxwell coram honorabili viro Roberto Dalzell de eodem, et ibidem dictus dominus de Maxwell genibus flexis petiit veniam a dicto Roberto Dalzell de homicidio siue interemptione quondam Wilelni Dalzell de eodem sui aui dicti Roberti Dalzell ; necnon idem dominus de Maxuele petiit veniam a dicto Roberto de omnibus et singulis actionibus, querelis quibuscunque, sique fuerant commisse per prefatum dominum de Maxuele aut suum patrem dicto Roberto Dalzell aut suis predecessoribus, et idem Robertus Dalzell non coactus, nec compulsus, prout asseruit, sed ex sua pietate, misericordiarque, mansuetudine et benignitate motus, omnia et singula premissa misericorditer indulsit et remisit, et hinc inde fedus amicitie firmiter de futuro obseruare promiserunt : super quibus omnibus et singulis premissis supradictus dominus de Maxuele a me notario publico infrascripto sibi fieri petiit hoc presens publicum instrumentum seu instrumenta : Acta erant hec

in ecclesia beati Egidii de Edinburgh coram altari gloriosissime virginis Marie infra eandem situato, hora decima ante meridiem aut eocirca, sub anno, die, mense, indictione et pontificatu quibus supra, presentibus ibidem nobili et potenti viro Jacobo Hammiltone de Fynnart, milite, Jacobo Douglas de Drumlanerik, Niniano Crechtoun, Johanne Crumme et Matheo Hammiltoun, cum multis aliis testibus ad premissa vocatis pariter atque rogatis.

Et ego Alexander Beg, presbyter Glesguensis diocesis, publicus auctoritate sacra apostolica notarius, quia premissis [*etc., in forma communi*].

88. LETTERS by JOHN, ABBOT OF SWEETHEART, constituting ROBERT MASTER OF MAXWELL bailie of the barony and lands of Lochindolow and Kyrkpatrik, with the lands of Lochartour for fee. 10th April 1539.

Be it kend tyll all men be thir present lettres, ws, Johnne, be the permissioun of God, abbot of the abbay of Suethart and hale convent of the samyn, all togiddir cheptourly gedderit, with ane consent and assent, to haif made, constitute and ordanit, and be thir present lettres makis, constituts and ordanis ane nobill man, Robert Mastir Maxwell, and his ayris male, our werray lachfull and vndoutit balzes of our barony and lands of Lochindolow and Kyrkpatrik, with thare pertinentis, and of the laychtis liand in the stewartry of Kyrkcubrycht, for all the dayis and termis of nyntene zeris, geiffand, grantand and committand to the said Robert Master Maxwell, and his airis male, our balzeis forsaidis, our verray fre and plane power the court and courtis of our said barony and landis of Lochindolow and Kyrkpatrik, with thare pertinentis, to gar proclame, afferm, hald and continew ; the amerciamentis, wnlawis, eschaetis of the saidis courts to gar wplift, rais and inbring to the vtilite of ws and our successours of the said abbay of Suethart, and geif neid be tharefore to poynd and distrenze, the poyndis to gar appris, away leid, and sell, trespassours to punish, the men, tennentis and inhabitantis of our saidis landis of Lochindolow and Kyrkpatrik, with the pertinentis, thare gudis, cornis, or cattall, before quhatsumeuir juge or jugis of law, spirituale or temporale, thai sall happin to be arrestit, chalancit, or accusit for ony actioun or causis pertenynng to the courtis of our saidis landis, to replege, reduce and agane bring to the priuilege and fredome of our said barony and landis forsaidis, and to the courts of the samyn, collerachtis and cautoun thairupoun to geif and fynd, courtis to parteis plenzeand for administratioun of justice to lymmitt, prefix and assigne, officiaris, clerkis, deymstaris, and membris of court to create and gar be sworn, and thaim to distitute and create of new als oft as thaim plesis, with our full power to substitute wnder thaim deputis ane or ma, quhilkis sall haif siclik power as our balzeis during the saidis nyntene zeris, and generally all and sindry vthers thingis to do, vse, and exerce that to the office of balry apone law or consuetude is knawin to pertene, and that we our self mycht do and we war present in propir person, ferme and stabill haldaud all and quhatsumeuir thing our saidis balzeis or thare deputis, ane or ma, dois or ledis to be done in thir premissis but reuocacioun during the saidis nyntene zeris ; and attour we, the saidis Johnne, abbot, and hale convent forsaid, setts and frely gevis and assignais fra ws and our successouris of the said abbay of Suethart, to the said Robert Master Maxwell, and to his airis male, our balzeis forsaidis, all and hale our landis callit Lochartour, alias Achinreach, with thair pertinentis, in thare balze fee for the saidis nyntene zeris, to be broukit and josit be thaim and thair subtenentis fre of all male and vtheris dewteis for the saidis nyntene zeris, sauffand and exceppand multir and teyndis, with all vtheris fredomes, asia-

mentis, proffittis, and pertinentis, but ony impediment or reuocatioun in tyme to cum ; and we and our successouris abbottis of Suethart sall warrand, acquiet, and defend the said hale landis of Lochartour to the said Robert his ayris male and subtenentis fre of male, and vtheris dewteis, saufand and exceppand multir and teynd for thare balze feall during the saidis nyntene zers, without fraud and gyle : In witnes of the quhilk thing to thir present lettres, subscriuit with our handis, our commone sele is appensit and hungin, the tent day of Aprile in the zeir of God aue thovsant five hundreth thretty and nyue zers.

JOHANNES, abbas Dulcis Cordis, manu propria.

RICHARDUS, prior, manu propria.

FRATER PATRICIUS VELCHE, manu propria.

FRATER WILELMUS LITILL, manu propria.

FRATER RICHARDUS BROWNE, manu propria.

FRATER THOMAS MURRAY, manu propria.

FRATER JACOBUS DARLIN, manu propria.

FRATER ROBERTUS NOTMAN, manu propria.

FRATER ALEXANDER, manu propria.

HERBERTUS, pensionarius Dulcis Cordis,
manu propria.

FRATER GILLZARMUS JONSTONE, manu
propria.

FRATER THOMAS PEDEN, manu propria.

JOHANNES KYRKPATRYK, manu propria.

89. CHARTER by KING JAMES THE FIFTH to ROBERT, FIFTH LORD MAXWELL, of the
escheat of James Douglas of Drumlangrig. 2d April 1541.

JAMES, be the grace of God King of Scottis, to all and sindry our liegis and subditis quham it efferis quhais knowlege thir our lettres salcum, greting, Witt ze ws to haue gevin and grantit, and be thir our lettres gevis and grantis to our traist and weilbelouit cousing and counsaloure, Robert Lord Maxwell, his airis and assignais, the escheite of all gudis movable and vnmovable, cornys, catall, dettis, takkis, stedingis, scheip, nolt, hors, meris, money, gold, siluer, cunzeit and vneunzeit, obligationis, actionis, and vtheris quhatsumeuir quhilkis perteneit to James Dowglas of Drumlangrig, and now pertenying, or that in ony wis salhappin or may pertene to ws, and becum in our handis be ressoun of escheite, throw being of the said James denuncit our rebell and put to our horne as fugitiue fra our lawis for art and part of the slauchter of vmquhile Maister Hector Sinclair : To be haldin and to be had all the saidis eschete gudis movable and vnmovable abone writtin to our said cousing his airis and assignais with all and sindry commoditeis, fredomes, proffittis, aisiamenis and richtuis pertineutis quhatsumeuir pertenying or richtuislie may perteue thairto, with power to the said Robert Lord Maxwell, his airis, and assignais, to introuet and tak vp the saidis eschete gudis quhareuir thai may be apprehendit and thairupoun to dispone at thair plesoure, and to occupy his takkis and stedingis with thair awne gudis, or set thame to tenentis as thai sall think maist expedient, frelie, quietlie, weile and in peax, but ony reuocatioun or agane calling quhatsumeuir : Quharfor we charge straitlie and commandis zow all and sindry our liegis and subdittis forsaidis that nane of zow tak vpoun hand to mak ony impediment, lett or distrubance to our said cousing, his airis and assignais, in the peceable brouking, joisiug, occupying, vptaking, introuetting and disponyng vpoun all and sindry the escheite gudis, movable and vnmovable, abone writtin, and all proffittis thairrof, eftir the tenour of thir our lettres, vnder all pane and charge that eftir may follow : Gevin vnder our priue seile at Striueling the second day of Aprill, the zeire of God, j^m v^e fourty ane zers and of our regne the xxviiij zeir.

Per signaturam manu supremi domini nostri Regis subscriptam, etc.

90. BOND OF MANRENT by ROBERT MASTER OF MAXWELL to JOHN JOHNSTON of that ilk. 3rd January 1542.

At Edinburcht, the thrid day of Januar, the zeir of God 1^m v^c xlii zeris : It is appointit, concordit, aggreit and fynalie endit betuix noble and honorable men, that is to say, Robert, maister of Maxwell on that ane part, and Johnne Johnnstoun of that ilk on that vther part, in maner as efter followis, that is to say, fforamekle as the said Johnne Johnnstoun of that ilk wes, befor his passing in ward, bundin in manrent to ane noble and mychti lord, Robert Lord Maxwell, fader to the said Robert, maister of Maxwell, for all the dayis of his life, and that the said band is nocht as zit dischargit, and albeit the said Robert Lord Maxwell is laitlie happynnit in this trublus tyme of weir, with vtheris noble men of this realme, chancit and fortunat to be tane prisonar in England, zit nochttheles the said Johnne Johnnstoun of that ilk, beand of gude mynde, intencion and wyll to kepe his said band for his part in all punttis to the said Robert maister of Maxwell, induring all the tyme of his faderis absence furth of the realme, bindis and oblissis him to the said Robert maister of Maxwell, to be trew afauld to him, and tak his plane part in all his iust and honest actiounis, and to gif him his best and trew counsale in all his materis, and to assist and concur with him in the pvnissing of trespassouris and gyding of the cuntreth at the plesour of God, commoun wele of the realme, and subditis therof, to his said faderis hamecuming, and to fulfill and kepe all and haill punttis contenit in the said band to the said Robert maister of Maxwell, siclike as he wes oblist to his fader ; ffor the quhilkis canssis the said Robert, maister of Maxwell, byndis and oblissis him, and promittis faithfully to the said Johnne Johnnstoun of that ilk, that he sall assist, concur with him in all his iust and honest actiounis, and manteine him in the samyn, conforme to his faderis band of manteinance gevin to him of befor ; and sall caus the said Johnne Johnnstoun of that ilk, vnto his said faderis hamecuming, be ansuerit and obeyit of the males, grassovmes, proffittis, and dewiteis of the ten mark landis of Dryisdale clamyt be him, and to caus him get rycht and assedatioun of the fischeing of the ¹ pertening to Trailtrow ; and als sall caus him induring his said faderis absence be realy and ¹ ansuerit and payit of his fourty pundis zerlie of fe contenit in his said faderis band, and to keip to him amyte, freyndschip and kyndnes, with all vtheris claussis, poyntis and articulis contenit in the bandis maid of befor : In witnes heirop baith the saidis partiis are bundin, oblist, and suorne to kepe thir premissis, and hes interchangeably sclit and subscriuit thir presentis, day, zeir, and place forsaidis, befor thir witnes, James Dowglas off Drumlanerik, Andro Jonstoun off Elphinstoun, William Litill, burges off Edinburgh, Master Hew Rig, Alexander Carlell, Johne Maxwell off Colhill, Johne Charteris off Wyudhillis, Robert Moffett off the Granntoun, wyth wtheris diuers.

ROBERT MASTER OF MAXWELL, wyth my hand.

91. BOND of MANRENT by THOMAS KIRKPATRIK of Closburn to ROBERT, FIFTH LORD MAXWELL. 3d February 1542.

BE it kend till all men be thir present lettres, me, Thomas Kirkpatrik of Closburn, to be bundin and oblist, and be the tennour heirop bindis and oblissis me, be the faith and treuth in my body, in manrent and seruice to ane noble and mychti lord, Robert Lord Maxwell, induring all the dayis of my life, and byndis and oblissis me, as said is, to be leill and trew man and seruand to the said

¹ Worn away in MS.

Robert Lord Maxwell my maister ; and sall nowthir heir nor se his skaith, bot sall lat the samyn at my vtr power, and warne him therof ; and I sall conceill it that the said lord schawis to me, and sall gif him agane the best leill and trew counsale that I can quhen he ony askis at me ; and that I sall ryde with my kin, freyndis, seruandis and allia that will do for me or to gang with the said lord and do to him afauld trew and thankfull seruice, and afanld playne part with the said lord my maister in all and sindry his actionis, caussis, querellis lefull and honest, movit or to be movit be him or aganis him, baith in peax and weir, contrar or aganis all thai that leiffis or de may, my allegance to our souerane lady the Quenis grace, hir tutour and gouvernour alanerly except ; and thir my lettres of maurent for all the dayis of my life forsaid to indure, all dissimulatioun, fraude, or gyle secludit and away put : In witnes heirop I haif selit and subseriuit thir presentis with my propir sele and my hand, at Edinburch the thrid day of Februar, the zeir of God j^m five hundreth fourty twa zeris, befor thir witues, William Kirkpatrik off Kirkmychaell, Master Hew Rig, Johne Kirkpatrik, Johne Charteris off Windehillis, wyth wtheris diueris.

L. S.

THOMAS KYRKPATRIK of Closborn.

92. LETTER by MARY QUEEN OF SCOTS appointing ROBERT, FIFTH LORD MAXWELL, and his sons ROBERT and JOHN, to the office of Captain and Keeper of Lochmaben Castle. 14th February 1542.

MARIE, be the grace of God Quene of Scottis, to oure comptrollar now present aud being for the tyme, greting : ftersomle as we vnderstand the gude, trew, and thankfnl seruice done to vmquhile our derrest fader of gude mynde, quham God assoilze, be oure traist cousing, Robert Lord Maxwell, Robert maister of Maxwell his son aud apperand air, and that thai and Johne Maxwell his secund son had in tak and assedatioun of his Hieues vuder his priue seill for the space of nyntene zeiris, the office of capitanry and keiping of oure castell and fortalice of Lochmaben, with all feis, proffittis, and dewiteis of the samin perteuyng thairto, vsit and wont, and that thair is diuers zeiris of the saidis nyntene zeiris zitt to rin, thairfoir and for otheris certane ressonable caussis and considerationis moving ws and oure derrest cousing and tutour, James Erle of Arran, Lord Hammiltoun, protectour aud gouvernour of our realme, with his auis and consent, we haue sett, and be thir oure lettres settis, and iu assedatioun lattis to the saidis Robert Lord Maxwell, Robert maister of Maxwell, and Johne Maxwell his sonnys, the langar levand of thame, all and hail the said office of capitanry and keipiug of oure said castell and fortalice of Lochmaben, with all feis, proffittis and dewiteis pertenyng thairto, vsit and wount, in tymes bigane, for all and hail the space and termes of nyntene zeiris uixt and immediatlie following thair entre thairto : quhilk entre salbe at the day of the dait heirop, and frathynefurth to endure and to peciablie bronke and jois the said office, with all feis and dewitcis pertenyng thairto, during the said space of nyntene zeiris, to be compleit and outrunin as said is, with all and sindry fredomes, commodeteis, asiamentis, and proffittis, pertenyng, or ony wys is knawin to pertene to the said office in ouy maner of way in tyme cuming, with power to the saidis Robert Lord Maxwell, Robert maister of Maxwell, and Johne Maxwell his sonnys, to mak capitanis, constablis, and keiparis of oure said castell, vnder thame for the quhilkis thai salbe haldin to ansuer, frelie, quietlie, weill, and in peax, bnt ony reuocatioun or aganecalling quhatsumeuir : Quhairfoir we charge straitlie and commandis yow oure said

comptrollar now present, and being for the tyme, to mak thankfull payment to the saidis Robert Lord Maxwell, Robert maister of Maxwell, and Johne Maxwell, his sonnys, capitanis and keiparis of oure said castell, the feis and dewiteis, vsit and wont, to be payit to the keiparis thairof of befoir zeirlie, during the said space, and the samin salbe thankfullie allowit to zow zeirlie in zour comptis in our chekker be the auditouris thairof, quhilkis we charge to defeis zow of the samin, thir oure lettres being anis schewin befoir the saidis auditouris, vpoun compt in our chekker and registrat in the rollis thairof as afferis : Gevin vnder oure priue seill at Edinburgh, the fourtene day of Februar, the zeir of God j^m v^c fourty twa zeiris, and of our regnne the first zeir.

Per signaturam manu domini Gubernatoris subscriptam, etc.

93. NOTARIAL INSTRUMENT recording protestation by ROBERT, FIFTH LORD MAXWELL, that his surrender of the Castle of Carlaverock to the English, and treasonable engagements, had been made whilst he was a prisoner and his life in danger. Dumfries, 28th November 1545.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis dominice millesimo quingentesimo quadragesimo quinto, mensis vero Nouembris die vigesimo octauo, indictione quarta, pontificatus sanctissimi in Christo patris et domini nostri domini Pauli diuina prouidentia pape tertii anno vndecimo, in mei notarii publici et testium subscriptorum presentia personaliter constitutus nobilis et potens dominus Robertus dominus Maxwell, subditus et liegius excellentissime et serenissime principis nostre Marie Scotorum regine, exposuit qualiter ipse Robertus dominus Maxwell captiuus vulgo *presoner* excellentissimi princiapis Henrici regis Anglie sub eius imperio in captiuitate et seruitute intra regnum Anglie existens ob metum et periculum sue vite, et ad eandem saluandam et non alias, castrum suum de Carlauerok, infra regnum Scotie, in manibus illorum Anglorum quibus placuit sue maiestati et suis officiariis eius nomine ad hoc potestatem et commissionem habentibus deliberari consensit ; et quod ipse, in captiuitate sub imperio dicti regis Anglie detentus et compulsus metu, timore et periculo sue vite, alia promissa, obligationes et *lie bandis* verbo et scripto sue maiestati fecit, et deliberauit contra autoritatem leges, mentem et mandatum dicte sue serenissime et graciosissime principis nostre regine ; et quod ipse eciam dominus Maxwell certa scripta et literas dicti regis Anglie in fauorem et vtilitatem ipsius domini Maxwell concessas et confectas ad manus suas de dicta sua maiestate habuit ; et quod quam cito ipse dominus Maxwell ad suum natium regnum Scotie illa vice e captiuitate liberatus deuenit, ea omnia et singula sua promissa, obligationes et *lie bandis* verbo et scripto antedicto regi Anglie per ipsum dominum Maxwell sub imperio eiusdem intra dictum regnum Anglie in captiuitate detentus data, confecta et deliberata, necnon ea omnia et singula scripta ac literas dicti regis Anglie in fauorem et vtilitatem ipsius domini Maxwell concessa et confecta, et de dicta sua maiestate per ipsum dominum Maxwell ad manus habita et recepta, ad animum reuocauit et eisdem omnibus et singulis renunciauit, prout tenore presentis instrumenti reuocat et renuntiat volens quod nullius deinde fuit roboris vel effectus, sed quod pro reuocatis et renunciatis pro se in perpetuum in iure et extra habeantur et teneantur, protestando solemniter quod quicquid per ipsum dominum captiuum dicti regis Anglie intra regnum sue maiestatis compulsus ob metum et periculum sue vite vt prefertur actum, factum et dictum fuerat, non cederet sibi domino Maxwell in dampnum seu preiudiciu quodcunque in futurum penes suam vitam, forisfacturam vel alias qualitercunque per leges dicte serenissime et graciosissime regine nostre et regni sui, promittens

iuterim fide media seipsum omni tempore vite sue viuere ac uori fidelem subditum sue gratie ac subditum obediensem sue gracie celsitudini et regi sui protectori et gubernatori et autoritati, ac se ipsum sue gracie in legibus sui regni submittere; et demum solenuiter idem dominus Maxwell protestabatur in casu quo ipse tanquam captiuus dicti regis Anglie compulsus fuerat denuo intrare regnum Anglie ad sue maiestatis imperium in captiuitate et quod ibidem ob metum et periculum sue vite compulsus et coactus contingerit facere, quod absit, aliqua promissa obligationes et *lie bandis* scripto vel verbo dicto regi Anglie, contra autoritatem leges et mandata dicte nostre excellentissime regine, eadem omnia et singula exnunc prout extunc reuocat renunciat tenore presentis instrumenti, promittens vt supra se viuere et mori fidelem subditum sue serenissime gracie: super quibus omniibus et singulis premissis dictus Robertus domini Maxwell a me notario publico subscripto sibi fieri petiit publicum et publica instrumentum et instrumenta, vnum et plura: Acta erant hec apud Drumfries in nouo edificio dicti domini Maxwell ibidem hora octaua ante meridiem vel eocirca, sub auno mense indictione et pontificatu quibus supra: presentibus ibidem discretis viris domino Wilelmo Scharpio, preceptore de Trailtrow, et domino Johanne Brice, capellano et Magistro Wilelmo Turuour clerico, testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Turnour presbyter Glasguensis diocesis publicus sacra auctoritate apostolica notarius, quia premissis [*etc. in forma communi*].

94. REMISSION by MARY QUEEN OF SCOTS, in favour of ROBERT LORD MAXWELL, for his treasonable communications with the English. 12th January 1545.

MARIA, Dei gracia regina Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenierint salutem: Sciatis quia ex nostris gracia et fauore specialibus cum auisamento auctoritate et consensu charissimi nostri consanguinei et tutoris Jacobi Aranie comitis, domini Hammyltoun, regni uostri protectoris et gubernatoris, ac dominorum nostri secreti consilii, remisimus dilecto nostro consanguineo, Roberto domino Maxwell, latori presecucium, rancorem animi uostri, sectam reginalem et omnem actionem quem et quas erga ipsum concepimus, habemus seu quouismodo habere poterimus, pro ipsius proditoria intercommunicatioue cum Anglis, tempore ipsorum combustionis de Edinburgh et Leith, ac recessu cum eisdem et infra regnum Anglie tempore guerre commorando, et pro proditoria deliberatione et positione loci et castris de Carlawerok in manibus dictorum Anglorum tempore quo ipse Robertus in Anglia captiuus *lie presoneir* fuerat, et pro ipsius proditorio consensu dato et prestito deteucioni nostri castris et domus de Lochmaben in nostri et tutoris nostri antedicti auctoritatis contempcionem, et pro omnibus actione et crimine que desuper sequi aut ei inde quouismodo imputari poterunt: necnou pro omnibus aliis accionibus, transgressionibus et criminibus et offensis quibuscunque per dictum Robertum dominum Maxwell ante diem date presentis remissionis commissis seu quomodo-libet perpetratis, proditoria traditione in nostram personam reginalem excepta, dummodo dictus Robertus dominus Maxwell partibus conquerentibus et dampna passis taliter satisfaciat quod nullam super hoc de cetero iustam querimoniam audiamus, et supradictum Robertum sub firma pace et protectione nostra iuste suscipientes firmiter inhibemus ne quis ei occasione predictae intercommunicationis recessus et commorandi deliberationis et positionis loci et castris nostri antedicti et consensus prescripti aut aliarum actionum transgressionum criminum et offensarum quarumcunque suprascriptum malum molestiam iniuriam seu grauameu aliquod inferre presumat iniuste super nostram plenariam forisfacturam, aut mortem ei inferat sub pena vite et membrorum: In cuius rei testimonium has

litteras nostras remissionis pro toto tempore vite prefati Roberti domini Maxwell duraturas sub nostro magno sigillo sibi fieri fecimus patentes, apud Linlithgow, duodecimo die mensis Januarii anno Domini millesimo quingentesimo quadragesimo quinto et regni nostri quarto.

95. BOND OF MANRENT by THOMAS M'CLELLANE of Auchlene, tutor of Bomby, and five others of the name of Maklellane, to ROBERT, FIFTH LORD MAXWELL.
26th February 1549.

BE it kend till all men be thir present lettrez, ws, Thomas M'Clellane of Achinlene, tutor of Bomby, maister Thomas Makelellane in Balmagachan, William M'Clellane in Nothirthrid, John Makelellaue in Torris, William MakClellane in Dunrod, Matho Makelellane in Collyne, with the residew and remanent of our kyn, freyndis, seruandis and parttakaris to becumyng men and serwandis, and be thir present lettrez becumis men and serwandis, and lelely and trewly byndis and oblissis ws, and ilkane of ws, to ane nobill and mychty lord, Robert Lord Maxwell, first and befor all vtheris, in special manrent and seruis ffor the dais and termes of the minorite of Thomas Makelellane of Bomby, our allegiance to our souerane lady the Quenis grace, and hir governour, allanerly outtane, for his gud lordschipis favoris and supple, lykas his lettir of maintenance maid thairupone proportis : And we, the saidis personis, salbe leyll and trew men and serwandis, fra this day forwart, to the said Robert Lord Maxwell, our forsaid lord and maister, for the dais and termes of the minorite of the said lard of Bomby, and sall ryd, gang, and be, in were and in pece, with our said lord and maister, and sall tak his afald, trew, and vprycht part with our selfis, our kyn, freyndis, men, and serwandis, and with all thame we may rays on hors and fute, bayth iu were and pece, and in all and syndry his actionis, causis, querelis, honest and leffull, movit and to be movit, quhen we salbe requyrit or warnit be word or wrytt : And als vnrequyrit or warnyt, quheu we sall knaw, here, or se it, sall stand to the lyff or honour or lefull and honest actioun of our said lord and master, aganis quhatsumevir persone or party, at all our gudly powir, ffor the dais and termes of the said lard of Bomby minorite, our allegiance alwais to our souerane lady the Quenis grace and lord governour except : And we sall nevir wytt, here, nor se, lak, skayth, or dishonour of our said lord and maister, bot we sall mak hym warnyng thairof with trew diligence, and sall stop it at all our gudly power : And gyff our said lord and master askis ws ony counsale, we sall gyff hym the best and trewest we can, and sall concele his counsele gyff he ony schawis to ws : To the obseruyng, keping, and fulfilling off this our band off speciall manrent and service to our said lord and master, in form and effect in all punctis as is abone writtin, we byud and obliss ws faithfully in the maist sekyr form and stratast style of obligatioun that can be maid or diuisit, but all cauillatioun, frawd, or gyle ; and gyf it salhappin, as God forbeit to do, ws, the sadis personis, to revoik or discharge this our forsaid band of speciall manrent and service, als oft we ratify, approvis, and makis the samyn agane of new, be the tenour of thir present lettrez to our said lord and master, in form and effect in all punctis befor expremitt, to stand vnreucabilly and inuiolabill for the tyme of the minorite of the said lord of Bomby, our cheif, but frawd or gyle, our allegiance to our souerane lady the Quens grace and governour excepin : In witnes of the quhilk thing to thir present lettrez we haiff

subscriuit with our handis, at Drumfres, the xxvi day of Februar, the zer of God 1^m v^c xlix zeris.

THOMAS M^cCLELANE, tutor of Bomby, with my hand.

M. THOMAS M^cCLELLANE in Barmagaichin, with my hand.

WILLEYAM M^cCLELLANE in Nedderthrid, with my hand.

WILLIAM M^cCLELLAN in Dunrod, with my hand.

JOHNNE MAKCLELLANE, with my hand led at the pen be Niniane Muirheid,
Notar Publiet.

96. BOND OF MANRENT by WILLIAM KIRKPATERICK of Kirkmychell. 10th March 1549.

BE it kend till all men be thir present lettrez, me, William Kirkpaterik of Kirkmychell, to becummy nian and serwand, and be thir present lettrez becummys man and serwand, and lelely and trewly byndis and oblissis me to ane nobill and mychty lord, Robert Lord Maxwell, in speciall manrent and seruice first and befor all vtheris, for all the dais of my lyfe, my allegiance to oure souerane lady, the quenis grace and the auctoritie allanerlie excepin, for his lordschippis gud fawouris and supple, as his lettir of manteinance maid thairupone proportis ; and I, the said William, salbe leill and trew man and serwand fra this day forward, to the said Robert Lord Maxwell, my fairsaid lord and maister, for all the dais of my lyfe, as said is, and sall ryd and gang, and be in were and in pece with my said lord and maister, and sall tak his afald trew and wprycht part with my self and my kyn, freyndis, men, serwandis and part takaris, and with all tham I may rais, bayth on hors and on fute, in all maner of his actionis causis, querelis, honest and leffull, movit or to be movit, at my vtar power, and sall nother wit, here, nor se my said lord and maister skayth, lak or dishonour, bot I sall stop it and let the samyn gyf I dow, and gyf I dow not let the samyn, I sall warne hym thairof in all possible haist, and gyf my said lord and maister askis me ony counsele I sall gyf him the best and trewest I can, and sall concele his counsale gyf he ony schawis to me ; and gyf it salhappin me to rewock or discherge this my forsaid band of manrent and seruice, als oft I ratyfy, approvis, and makis the samyn agane of new, be the tenour of thir present lettrez of manrent and seruice in form and effect, in all punctis befor expremitt, for all the dais of my lifyme, to stand vnreuocable and vnuolabill, except my allegiance to our souerane lady the quenis gracc and auctoritie : In witnes of the quhilk thing to thir present lettrez of manrent and seruice subscriuit with my hand, my sele is affixt on the x day of the moneth of Marche, the zer of God j^m v^c xlix zeris, befor thir witnes Johnn of Johnnstoun, of Elzhesillis, Harbart Gardain, James Kyrkpaturek, Johnn of Kirkpaturek, Robart Kirkpaturek, with vtheris dyueris.

WILLIAM KIRKPATUREK of Kyrkmychell, with my hand at the pen, becaus I could nocht writ my seall.

97. BOND OF MANRENT by JOHN GREIRSONE of Lag. 23d March 1549.

BE it kend till all men be thir present lettres, me, Johnne Greirsonne of the Lag, to becummy nian man, and be thir present lettres becummys man and byndis and oblissis me in speciall manrent and seruice, to ane nobill and mychty lord, Robert Lord Maxwell, in houshold or retinew at his will for all the dais of my lyfe, and I, the said Johnne Greyrsonne of Lag, salbe leill and trew man to the

said Robert Lord Maxwell, my lord and maister, and I sall tak his afald trew and wprycht part wyth my self, my kyn, freyndis, men, and serwandis, and all thai I may steyr on hors and fute, in vere and in pece, in all and syndry his actionis, causis, and querelis honest and lefull, movit and to be movit, aganis quhatsumevir party or person, and first and befor all vtheris, ffor all the dais of my lyfe, my allegiance to our souerane lady the quenis grace and lord gouvernour allanerly outtane and exceptit, and gyf my said lord and maister askis me ouy counsale, I sall gyf hym the best and trewest I can, and sall concele and kepe secret his counsale gyf he ony schawis to me, and I sall nevyr wyt, here, nor see lak, skayth, or dishonour of my said lord and maister, bot I sall mak hym warnyng thairof with gude diligence, and stop it at all my gudely power ; to the obseruyng and keping of this my bauld of speciall manrent and service in all punctis abone writtyn to the said Robert Lord Maxwell for all the dais of my lyfe, I biud and obliss me faithfully in the maist sekyr form and stratast style of obligatioun that can be maid or diuisit, but cauillatioun, fraud, or gyle : In witnes of the quhilk thing to thir present lettres my sele is affixt at the Lag, the xxiii day of the moneth of Marche, in the zere of God ane thousand fyve hundreth and fourty nyne zeris.

JOHN GREERSON of the Lag, with my hand.

98. BOND OF MANRENT by ALEXANDER STEWARD of Garles. 24th March 1549.

BE it kend till all men be thir present lettres, me, Alexander Steward of Garles, to becommyn man and seruand, and be thir present lettres becommys man aud serwand, and lelely and trewly byndis and oblissis me to ane nobill and mychty lord, Robert Lord Maxwell, first and befor all vtheris in speciall manred and service ffor oure twa lyftymes, my allegiance to oure souerane lady the quenis grace and lord gouvernour allanerly outtane, for his gude lordschipis faworis and supple, lyk as his lettir of mantenance maid tharupone proportis ; and I, the said Alexander Steward of Garles, salbe leill and trew man and serwand, fra this day forward to the said Robert Lord Maxwell, my forsaid lord and maister for our twa lyftymes, as said is ; and I sall ryd, gang, and be in were aud in pece with my said lord and maister ; and I sall tak his afald trew and vpryt part with my self, my kyn, freyndis, men, serwandis, and wyth all thai I may rays on hors and on fute, baitht in were aud in pece, in all and syndry his actionis, causis, and querelis, honest and lefull, movit and to be movit, quhen I salbe requyrit or warnyt be word or wrytt, and als vnrequyrit or warnyt quhen I sall knaw, here, or see it, sall stand to the lyf, or honour, or lefull and honest action of my said lord and maister, aganis quhatsumevir persone or party, at all my gudly power for oure twa lyftymes myn allegiance alwais to oure souerane lady the queuis grace and lord gouvernour allanerly except ; and I sall uevir wyt, here, nor see, lak, skayth, or dishonor of my said lord and maister, bot I sall nuak hym warnyng thairof with trew diligence, and sall stop it at all my gudly power ; and gyf my said lord and maister askis me ony counsale, I sall gyf hym the best and trewest I can, and sall concele his counsale gyf he ony schawis to me : To the obseruyng, kepyng, and fulfilling of this my band of speciall manred and service to my said lord and maister, in forme and effect in all punctis abone writtin, I bynd and obliss me faithfully in the maist sekir forme and stratast stile of obligatioun that cau be maid or diuisit, but all cauillatioun, frawd, or gyle, and gif it sall happin, as God forbeit to do, me, the said Alexander Steward of Garles, to rewok or discharge this my forsaid band of speciall manred and service, als oft I ratify ap-provis and makis the samyn aganc of uew, be the tenour of thir present lettres to my said lord and

maister, in forme and effect, in all punctis before expremitt, vnreuocabilly and vnuolabilly for our twa lyftymes, but frawd or gyle, myn allegiance to our sonerane lady the quenis grace and lord gonerounr alwais except : In witnes of the quhilk thing to thir present lettres snbscriuit with my hand, my sele is appensit, at the Garoles, the xxiii day of Marche, in the zere of God i^m v^c and fourty nyne zeris.

ALEXR. STEUARD of Garlos, wyth my hand.

99. BOND OF MANRENT by JOHN CREICHTOUN, brother-german to WILLIAM LORD CREICHTOUN of Sanquhar, and others. 22d June 1550.

BE it kend to all men be thir present lettres, ws, Johnne Creichtoun, bruther germane to vmquhile Williame lord Creichtoun of Sanchquhair, Harbert Creichtoun my bruther germane, Williame Creichtoun oure bruther naturale, Edward Creichtoun of Lubery, maister Robert Creichtoun persone of Sanchquhare, James Creichtoun of Carco, maister Edward Creichtoun his tntoure, Andro Creichtoun of Craufurdoun, Johne Creichtoun his sone and apperand air, Niniane Creichtoun in Auchintaggane, Johne Creichtoun in Hill, and I the said Johnne as principale for the remanent kin, freindis, allyais, adherentis, part takaris, assistaris, and tennentis of the said vmquhile Williame Lord Creichtoun of Sanchquhair, and speciale the indnellaris of the barony of Sanchquhare, and of all vther bouudis pertenyng to the said vmquhile lord, liand on the south side of the wattir of Forth ; to be buudin and oblist, and be thir present lettres, the faith and treuth in oure bodeis bindis and oblistis ws to ane nobill and mychty lord, Robert Lord Maxwell, ffor all the dais space and tyme of nyne zeris, nixt to cum, eftir the day of the dait heiroyf, that we in all tymes cuning, during the said space, salbe leill and trew men and seruandis to the said lord, and sall do him leill and trew seruice, and tak his afauld leill and trew part, and ride and gang with him in all and sindrie his actiouis, caussis and querelis, lefull and honest, aganis all that levis and de may, oure allegiance to onre souerane lady, to the maist Cristin king of France and my lord gouernoure dnring his office of tutorie alaicerly being exceptit, and sall nowther heir, se, wit nor know the said lordis skaith, danger nor apperand parrell in priue nor in apert, bot we sall warne him thairof and lat the samin eftir oure power, and sall conceill and hide the counsale the said lord schawis to ws, and gif him agane the best leill and trewest counsale we can, and heirto we bind and oblist ws faithfullie to the said lord in the maist strait forme and sikir stile of obligatioun that can be denisit but fraude or gile, na remeid nor exceptioun of law, canone, cinile, or vther quhatsumeuir to be proponit in the contrar, renunceand the samin for ws foreuir be thir presentis : In witnes of the quhilk thing we have snbscriuit thir oure lettres of manrent, with oure handis as eftir followis, at Edinburgh, the twenty twa day of Junii, the zeir of God ane thousand fyve hundreth fifty zeris, befor thir witnes, Thomas Kirkpatrik of Closburue, Roger Kirkpatrik of Ros, William Kirkpatrik of Kirkmichaell and Gilbert Greir, with vtheris diueris.

JOHNE CREYCHTON with my hand.

HARBART CRECHTUN with my hand.

JAMES CREYCHTOUN with my hand.

EDWARD CRECHTOUN with my hand.

JHONE CRICHTUN zoung lard of Craufurdoun.

NINIANE CRICHTOUN of Auchintagart.

ROBERTUS CREICHTOUN Rector de Sanquhar manu sua scripsit.

ROBERTUS CREICHTOUN Notarius Publicus ex speciali mandato dictornm Villelmi et Joanis in Hil Creichtounis scribere nescientium manu sua scripsit.

100. BOND OF MANRENT by THOMAS KYRKPATRIK of Closeburne. 23d July 1550.

BE it kend till all men he thir present lettres, me, Thomas Kyrkpatrik of Closshurne, to he hund and oblist, and be the tenour herof bindis and ohlissis me, be the faitht and trewth in my hody, in manrent and service, to ane nohill and myehty lord, Rohert lord Maxwell, indnrng all the days of my lyfe, and hindis and oblissis me, as said is, to be leill and trew man and serwand to the said Robert Lord Maxwell my maister, and sall nothir heir nor see his skayth, lak, nor dishonour, hot sall lat the samyn at my vtir power, and warne hym therof ; and I sall concele it that the said lord schawis to me, and sall gyf hym agayne the hest, leill, and trewest counsale that I can quhen he ony askis at me, and I sall ryde with my kyn, freyndis, serwandis, and all tha that will do for me, or to gang with the said lord, and do to hym afald, trew, and thankfull service, and sall tak afald, vpryt, and plaue part with the said lord my maister, in all and sindry his actionis, causis, querellis lefful and honest, movit or to he movit he him or aganis him, haitht in peax and in weir, contrar and aganis all thai that leiffis or de may, my allegiance to oure souerane lady the quenis grace and anctorite allanerlie exceptit ; and thir my lettres of manrent and service for all the dais of my lyfe forsaide to indure, all dissimiliatioun, frawd, or gile secludit and away put : In witnes hereof, I haue selit and subscriuit thir present lettres with my propir sele, and my hand, at Closshurne, the xxiii day of Julij the zere of God ane thousand fyve hundreth and fifty zedis.

THOMAS KYRKPATRIK of Clossburn, with my hand.

101. BOND of MANRENT by THOMAS MAKELELLANE, tutor of Bomby, and five others of the name of Makelellan, to JOHN MAXWELL of Terregles, Knight. 21st December 1553.

BE it kend till all men he thir present lettres, ws, Thomas Makelellane, tutour of Bomdhy, maister Thomas Makelellane in Barmithgachane, William Makelellane in Neddirthrid, William Makelellane in Balmangane, Johnne Makelellane in Torris, William Makelellane in Dunrod, for our selfis and the remanent of our kyn and freindis, to be hund and oblissit, and be the tennour heiroyf, and the faythis and treuthis in our hodeys, lelely and treulie, hyndis and oblissis ws to ane honorahle man Johnne Maxwell of Terreglis, Knycht, in maner, forme, and effect as eftyr followis, that is to say, the sadis personis byndis and oblissis thame, as said is, that thai sall serue, ansueyr, and obey, to Robert Lorde Maxwell, now pupill, vnto his cunying to perfite ayge and knowlaige of xviii zedis

¹ tyme, ay and quhill the said Robert cum vnto perfite knowlaige of the said aige, that thai sall serue, ansueyr, and ohey the said Johnne Maxwell of Terreglis, Knycht, during the minorite of Thomas Makelellane of Bomdby, thair cheif, ay and quhill the said Thomas cum vnto perfite aige and knowlaige of xviii zedis, with thair kyn, freindis, sernandis, and all that thai may steyr, aganis quhatsumeuyr person or personis, thair allegiance to our souerane lady the quene, and hir anctoritie alanerlie exceptit ; for the quhilkis caussis the said Johnne Maxwell of Terreglis, knycht, byndis and oblissis hym, lelely and treulie, be the fayth and treutht in his hody, to the saidis personis, that he sall manteine and defend thame, thair kyn and freindis, in all and syndry thair lauchfull and leifull actionis and causis at his vtyrmaist powir aganis quhatsumeuyr persone or personis, his allegiance to our said souerane lady, and hir auctorite alanerlie

¹ Worn away in MS.

exceptit : In witnes heirof we haif subscriuit this present lettrez obligatoris with our handis, at Dundranann, the twenty ane day of Decembir, in the zeir of God 1^m v^c and fifty thre zeris. Ws for our awen part.

JOHN MAXWELL.

THOMAS M^cLELANE, tutor of Bomby.

MAISTER THOMAS M^cCLELLANE, with my hand.

WILLIAM M^cCLELLANE, in Neddirthrid, with my hand.

JOHNNE MACLELLANE, in Torris, with my hand led at the pen be
Ninian Muirheid notar publict.

WELLIYAM M^cCLELANE, in Belmengane.

WILLIAM M^cCLELLANE, in Dunrod, with my hand.

102. BOND of MANRENT by CHRISTELL ARMSTRONG to JOHN LORD MAXWELL and
SIR JOHN MAXWELL of Terregles, his tutor. 24th January 1557.

BE it kend till all men be thyr present lettres, me, Christell Armestrang, callit Johnis Christe, for to be bound and oblist, and be the tennour heirof, and the faith and treuith in my body, lelie and treulie byndis and oblis me and myne airis to ane nobill lord Johne Lord Maxwell and to Sir Johne Maxwell of Terreglis, knyght, his tutour and goueruour ; ffor samekill as the said lord, with aduis and consent of his said tutour, hes grantit and geui to me and my airis the males of all and hail the landis quhilkis ar contenit in ane band maid be vmquhile Johne Armestrang, my fader, to vmquhile Robert lord Maxwell, gudschour to the said Johne, now Lord Maxwell, conform to the said band, heirfoir I, the said Christell, bindis and oblis me aud my airis in manrent and seruice to the said Johne lord Maxwell and his airis foir ewir mair, and to his said tutour, induring the tyme of his tutorie first and befoir all vtheris, myne allegiance to our souerane lady the quenis grace and hir dearest moder Marie Regent of this realm allanerly exceptit ; and to be trewe, gud, and leill seruandis to my said lord and his tutour, and be redy to do thame seruice, baytht in peace and weyr, with all my kyn, freyndis, and seruandis that I may and dow to rais, and be and to my said lordis airis for ewir, and to his said tutour for the tyme, and sall tak their trew and plane part in all mauer of actionis at myne vthir power ; aud sall nothir wit, heir, nor se the said lord nor his tutour skaith, lak, nor schame, nor dishonour, bot we sall stop and lat the samin, and geif we dowe nocht lett the samin, we sall varne thame therof in all possabill haist ; and geif it happinis me, the said [Christell] Armestrang or myne airis, to fail in oure said seruice and manrent ony maner of way to our said lord or his tutour, as God forbeit we do, than and in that cais the gift of the males of the landis maid to my said vmquhile fader and me to be of nane availl, force, nor effect, bot the said lord and his airis and tutour fairsaid to haue fre regres and ingres to the males of the samin landis, but ony pley or impediment : to the fulfilling and keping of all and sindry the premissis, I bynd and oblis me and my airis fairsaidis to the said Johne Lord Maxwell and his airis, and to his said tutour for the tyme for ewir mayr, be the faithis and treuithis in our bodeis, but fraude or gyle : In witnes of the quhilk thing to thir present lettres of maurent, subscriuit with my hand at the pen, led be the notar vnder writtin, my seill is affixit at Drumfreis, the xxiiii day

of January the zeir of God 1^m v^c fifty sevin zeris, befor thir vitnes, Mungo Maxwell, Johne Dougalson, and Harbert Anderson, notar, with vtheris dineris :

I, CHRISTELL ARMSTRANG, with my hand at the pen led be the notar vnder vrittin.

Ita est Harbertus Anderson, notarius, ad premissa de mandato dicti Christoferi manu propria scripsit.

Thir vordis, viz. males, put in abone the heid and interlinit, is put in at the first tyme be me, the said notar. HARBERTUS ANDERSON, notarius ad premissa manu propria.

103. CONTRACT between SIR JOHN MAXWELL of Terregles, knight, tutor to JOHN LORD MAXWELL, and CHRISTIE ARMSTRONG, of Barnegleis, in regard to the keeping of the house and place of Langholm. 1st July 1562.

AT Lochmaben, the fyrst day of Julii, anno thre score tua zeris, it is appointit, contractit, and agreit, betuix the rycht honorable Schir Jhone Maxwell of Terraglis, knyght, tutour to Jhone Lord Maxwell, one that ane pairt, and Christe Armstrang of Barnegleis, one that vthir pairt, in maner [and] forme as eftir follovis :—That is to say, the said Christe Armstrang sall hane the vse and keiping of the hous and place of Langholme, and eftir him his airis maill, to the behuif of the said Schir Jhone and his airis, induring the tyme of his tutourie, for the quhilk caus the said Schir Jhone and his airis sall pay to the said Christe and his airis, in tyme of peax the soun of xl pund, vsuale mony of Scotland, in name of feale, and in tyme of wer the said Christe and his airis sall haue for the keiping of the said hous and place of Langholme as salbe thocht rasonable be foure honest gentlemen, and at the perfyct age of the said Jhone Lord Maxwell the keiping of the said hous to ramane with the said Christe and his airis, in maner abone vritin, gyf the said lord standis content with the samyn, quhen he cunmis to the handling of his avin leving, and gyf he beis nocht contentit with the sam, in that caise the said Christe is contentit to refund the expenssis maid be the said Schir Jhone vpon the hous nov presentle to the said lord Maxwell, or his airis forsaid, the said Christe promesis to set doun tua rasonable men of the Maxvellis, and tua of the Armstrangis, and to se quhat tittle the said lord hes to the said hous, the said Christe to abyd at the sam, and to tak and do missour thairintill as thai disseme, and all and sindre thir premissis baith the saidis pairteis bindis and oblisith thame, thair airis, ilk ane to vtheris be thir presentis, subscriuit with thair handis day, zeir, place abone vritin, befor thir witnes, Schir James Maxwell, Mungo Maxwell, Robert Elliot, Alexander Armstrang, Hew Armstrang, Robert Armstrang, Quhintene Hendersone, Symine Hendersone, James Geddas, Jhone Metchelsone, Thomas Maxwell, Mr. Thomas Geddas, Jhone Maxwell of Lytle, [B]ar

¹ George Moffett, Thomas Scot. Forder, the said Christell sall help the said Schir Jhone Maxwell and his seruandis to the vptalkine of sic proffeittis, as his fater my Lord Maxwell haid within the cuntreis of Eskdale, Eusdale, and Wauchoidale, and of thai proffeittis, the fourtie pnnnd that ancht zeirlic to be gevin for keiping of the hous to be payit, and sielyck of thay proffeittis quhat foure wyis men in the weiris that is our freindis thinkis meit to be gevin he to have it.

JHONE MAXWELL.

¹ Worn away in MS.

104. OBLIGATION by the Heads of various Branches of the MAXWELLS to submit their differences to JOHN LORD MAXWELL their Chief. 20th November 1571.

Att Drumfreis the xx off November the zeir of God 1571 zeiris. Forsamekle as we Maxwellis vnder subscrywand fyndis and vnderstandis to be our weillis thatt the lowabbill vs and costum of our forbears be obserwitt and kepitt amang ws, as itt was be theme : We therfor, be the tennour heiroff, and be the fayth and trewth in our bodys, promesis ws and ewerie ane off ws, butt frawd or gyll, lelely and trewlie to stand and abyd att the decreitt and jugment off our cheiff, and maister, Jhone Lord Maxwell, in all ovr cawsis, and dewersities, that is or sall in tyme to come hapine betwyx ws or ony twa off ws, swa thatt thereafter nane vther jugment off law salbe socht in the contrair, prowydeing thay be twa Maxwellis, chosyne be ather pairtie to assist and concowr in consall to the saydis Jhone Lord Maxwell quhatt salbe done therein ; and alls be the fayth and trewth in our bodies, we obliiss ws and ewerie ane off ws, trewlie and leille, to serwe and obay our saydis cheiff and maister, Jhone Lord Maxwell, in all his honest cawsis agens quhomsomewer, and to giff him ovr trew and vprycht consall and advys in all his cawsis quhen he sall requyr. And I, the saydis Jhone Lord Maxwell, be the fayth and trewth in my bodie, oblisiss me to do equhall justyce swa far as God will giff me graice, butt respect of ather pairtie, and als I sall mantene and defend thame in all ther honest and lefull cawsis to my vtter powar. In wittnes heiroff bayth the saydis parteis hes subscrywitt this presend band, day, zeir, and plaice forsayd, befor thir wittnes.

Andrew Maxwell, burges in Drumfreis.

Harbert Maxwell in Cavence.

George Maxwell in Lytill Ardrie.

Jhone Maxwell, younger, in Logane.

James Maxwell in Killielong.

Villiam Maxwell in Ayrdes.

James Maxwell in Boyndairdes.

At the commande of thir forenamed persones, I, Mr. Jhone Maxwell, wreitare, subscryvit this present in their names. The persones abone vritting comperand in presens of me notar vndervritten consentit that I notar vnderspecifeit subseriuit this wrytting be thar said subscriptiones.


Ita est David Mcghee notarius publicus
ad premissa manu propria.

Johne Maxwell of Conhaith, wyth my hand at the pen, affirmand the band abone vrittin, led be David Mcghee, notar.

David Mcghee notarius, manu propria.

Petir Maxwell in Logane, wyth my hand at the pen affirmand the foirmair band, led be David Mcghee notar at my command.

David Mcghee notarius manu propria.



ROBERT MAXWELL of Cowhill.

ARCHBALD MAXWELL.

MR. HOMER MAXWELL.

105. BOND OF MANRENT by JOHN MAXWELL, tutor of Kirkconell, to JOHN LORD MAXWELL. 11th January 1572.

BE it kend till all men be thir present lettres, me, Johne Maxwell, tutour of Kirkconnell, to be bound and oblist, faithfullie and trewlie, to serue Johne Lord Maxwell as his onlie cheiff and maister, in all lefull bissynes: For the quhilk caus, I, the said Johne Lord Maxwell, bindis and oblissis me and my aris, lelilie and trewlie, at the vttirmaist of my power, to manteine and defend the said Johne Maxwell and his aris, in all [and sindr]y his gude and lefull causs aganis all and quhatsumeuir persouis, our souerane lord the kingis grace, his successoris and authoris [allanerlie] exceptit¹ to vsis without ony fraud

speciale caus, bot as is befor [exceptit and] for fulfillingl theirow, ather of thame hes subscriuit this [present wryting with] thair handis at Drumfres, the xi of Jauuarij, the zeir of [God j^m v^e thresc]oir twelf zeris. Befoir maister Gilbert Brovne, abbot of Suethart, [and Robert] Maxwell, brother natural to the said Johne Lord Maxwell, with vtheris [duieris.]

JOHNE MAXWELL in Kerktovn, with my hand.

106. BOND OF SPECIAL MANRENT by ROBERT CHARTOURIS of Kelwood, to JOHN LORD MAXWELL. 10th June 1574.

BE it kend till all men be thir present lettres, me, Robert Chartouris of Kelwod, to be bound and oblist, and be thir presentis bindis and oblissis me and my aeris in special band of manrent and service to ane nobill and potent lord, Johne Lord Maxwell, and his aeris for ewir, and to serve and tak thair trew and awfall part in all thair actionis and causis quhatsumeuir, aganis all deidlie quhatsumeuir (our souerane lord and his alleggance being acceptit onlie), and to geif our trew and faithfull consall to the said lord and his aeres, and conseil the consall they schaw to ws, and sall nathir heir, see, nor wit thair skathes, bot sall mak the same manifest to thame, be this our present band of service subscryvit with my hand, my seill is affixit therto at Car . . .¹ the x day of Juuii, the zeir of God 1^m v^e thre scoir xiiii zeris, befor thir witnes, Hew Muir in Skyruland and Mr. Williame Houstoun.

ROBERT CHARTORIS of Kelwod.

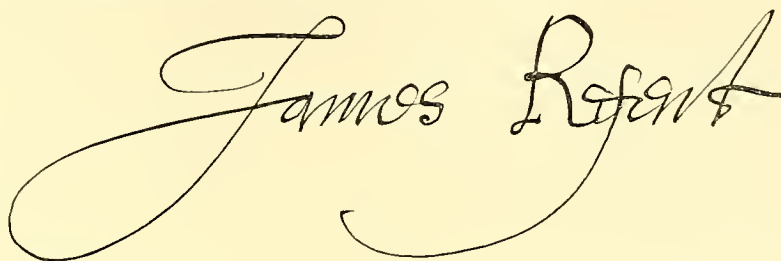
107. WARRANT by KING JAMES the SIXTH to the LORDS OF SESSION, in favour of JOHN LORD MAXWELL, anent the lands of St. Thomas's Chapel. 15th March 1575.

REX,—Chancellair, president, and lordis of Counsale and Sessioun we greit zow weill: Forsamekle as we with auise and consent of our richt traist cousing, James erll of Mortoun, lord of Dalkeith, regent to ws, our realme and liegis, hes disponit the heretable richt of the laudis of Sanct Thomas Chapell with the pertiuents, liand within our schirefdome of Roxburgh, to our cousing, Johnne Lord Maxwell and his airis, as being in our handes, throw the forfaitour of Schir Thomas Ker, sumtyme of Farnyhurst, knyght; neurtheles, as we ar informit, your lordships differris to proceed, at the said Lord Maxwellis instance, aganis the tenentis of the saidis landis, iu respect of warrandice cravit be thame of² Scott, spous of the said Schir Thomas, be ressoun of a dispositioun

¹ The blanks worn away in MS.

² Blank in MS.

of the males and dewities of the saidis landis maid to her during the will of ws and our said regent : Quherfoir it is our mynd, and we charge zow, that ze proceid and do iustice at the instance of the said lord Maxwell in the said mater, nochtwithstanding the said dispositioun during will, quhilk we declair to haue na further effect in tyme cuming, in respect she, in quhais fauour the same wes geuen, is departit and remanys furth of our realme, and for vtheris resonable considerationis moving ws. Gevin vnder our signet, and subscriuit be our said cousing and regent at Dalkeith, the xv day of Marche, and of our reign the nynt zeir, 1575.



108. DISCOURSE and ADVICE by JOHN LORD HERRIES regarding the West Marches.
23d January 1578.¹

THE quhilk day, iu presens of the Lordis of Secreit Counsale, Johnne Lord Hereis exponit and declairit how he had presentit vnto the Kingis Maiestie a discours contening the present trublit estait of the west marche of this realme foranent England, with his trew aduise and opinioun tuicheing the help thairof, and seruing of the office of wardanerie and iusticiarie of the same west marche in tyme cuming, and becaus Johnne Lord Maxwell, present warden of the same, hed, be a letre of his exhibitit sensyne, termed the said aduise a pernitiuous counsale, and in sindrie vther pointis hed schawin his mislyking thairof, quhairvpon the said Lord Hereis offerit himself to abide and vnderly the tryell and jugement of the Kingis Maiestie and Lordis of his Secreit Counsale presentlie, or quhen they sall think convenient ; thairfoir the saidis Lordis of Secreit Counsale, at the request and desyir of baith the saidis Lord Maxwell and Lord Hereys, ordanit the said discours and aduise, with the said ansuer maid thairto, to be insert in the buikis of the Priuie Counsale, *ad futuram rei memoriam*, and the copyis thairof to be extractit and deliuerit to thame as they sould require the same, off the quhilkis discourse, aduise, and ansuer the tennour followis :

Pleasit zour Maiestie consider the ewill estait present of the West Marchis of this zour realme. A litill befoir zour nobill grandfader of guid memory, King James the Fift, depairtit this life, his Hienes vnderstanding ane few disloyall subiectis of his realme inhabiting vpoun the fronteris of England, in the oppositiue wardanrie, havand plantit thame selffis vpoun ane wast ground, hed done sindrie incursionis in his cuntrie, and beand be the realme of England mantenit, wes begynnand to grow in sic nowmeris and proudnes that thair invasionis wes insufferabill to his trew subiectis ; thairfoir his Grace thocht guid than to put ordour to thame, and to that effect send ane greit cumpany of nobilmen and vtheris to birne, distroy, and spuilzie thame ; quhilk power, for lack of government and knowlege of wearis being altogidder to thame vnknawin, sa lang they had continewit in peace, and havand na prouisioun to remane vpoun thair interpryis

¹ Regist. Secreti Concilii Acta, Mar. 1577—Sep. 1579, fol. 113.

without ony occasioun worthie gevin thame, fled : by quhais discomfitour those quhom they zeid to haue destroyed—I meane the Grahames and thair thevis assisteris—the inhabitaris of Esk, Levin, and Sark gat of thair ransomis and spuilzie worth ane hundreth thowsand markis, with the quhilk substance and spuilzeis that they haue gottin in Scotland sensyne, far surmounting in valu ane hundreth thowsand pund Scottis, the saidis Grahames hes biggit to thame selfis, ewin vpoun the verray frouteris of this zour cuntrie, aucht or nyne greit stane houss, Inprynnabill for the warden of Scotland his power. They haue allyait thame selfis with the maist part of all zour bordouraris adiacent to thame, quha for feir of thair ewill deidis and partlingis according to thair naturall ewill inclinacioun to be marrowis with thame in thair vnlefull spuilzeis zour bordouraris, hes tane thair dochteris in a maner without tochir, ze happy is he that is adiacent to thame that gettis ane of thair bairnis in mariage, as he thinkis.

In the fourtie twa zeir of God, the tyme zour said grandfader depairtit this life, thay past not twentie nor threttie at the monyest, and now they with thair thevis assisteris ar growin to sextene or aughtene scoir, reddy at the warning of ane hour or vther half hour, weill horsit men, brocht vp and levis na vtherwayis bot ydill, and in all weckitnes towaris this realme, neuir mynding na vther life bot the spuilzeing of Scotland.

Besyde the foirnamit greit harschippis, far surmounting the sowmes expressit, they haue com-mittit mony greit and odius slauchteris abone the hundreth Scottis men, brint verray meikle of zour cuntrie, and swa continewit all this tyme in the peax siclyke as in the weare.

Schir, in this tyme the realme of England hes cassin down zour Hienes hous of Annand, brint zour principall toun within that marche, Drumfreis, and vtheris, zour trew subiectis houss that wes vpoun this the fronteris of zour cuntrie, buildit for mantenance of the same, and thair ressistence, swa that within xx mylis to the marche of England or the Scottis syde thair is na strenth quhairin ane honest man that is trew to zour Hienes and to zour realme may remane, ayther honestlie or suirle. The thevis of the same marche, with assistance of the Engliche thevis, hes slayne zour principale baronis that wes narrest adiacent to the marche, sic as the Lord Carlile, the lardis Mouswald, Kirkmichaell, Kirkconnell, and Logane in Annanderdail, with mony vther sobir landit men, and now hes plantit the maist part of thair landis and occupyis it to thair thevis vse, quhairthrow the wardane, laiking the substantioun houshaldis of thir honest men that wes cuir helpfull to him, and trew evin as his awin houshald, dar not approche zour awin fronteris to do zour Hienes seruice in the commoun weill, as to his office appertenis, without he be weill accompanyit with vtheris then with the inhabitantis of that cuntrie.

The West Marchis of England is plantit with strong hauldis evin to the verray fronteris ; the cetie of Carlisle, with ane strang castell and citidaill thairin, weill munitioned, within foure mylis to the marche of zoure realme, quhair is the continewall residence and seat of that wardane : the castell of Rockleiff, quhilk will weill ludge ane hundreth hors and men, is within thre quarteris of ane myle to zour bordour, with mony strang stane houss continualie endlang the Engliche marche fronting to this realme, and it is a fruitfull soyill, full of gude cornis, with gude lawis and gude obeydience to the same. Be the contrair, Scotland vpoun that marche is ane pastour ground, verray barrane, quhill it cum far within the realme, and vnprofitabill in a maner to the greit part bot for bestiale as it is knawin. Ane man, to be sustenit honestlie vpoun his stoir inlykmaner as his nychtbour salbe sustenit with cornis, sall occupy mair ground, nor ten tymes he that levis be the cornis dois in boundis, swa that the West Marchis of

England is meikle mair populus, and may be the fertilitie of the ground sustene mony ma men adiacent to the fronteris vpoun that marche nor Scotland may.

ADWYIS for gude ordour to be obsernit in the said West Marches.

FIRST that the wardane quha is Justice Generall, mak his residence with his honest honshald in the Kingis Maiesteis castell of Lochmaben, and gif ony tyme he beis furth of it, to be in the wintir in Drumfreis, havand alwayis in Lochmaben ane sufficient gentilman to be depnte, and that the iustice court or stewart court as they call it, be wolkie keipit in the toun of Lochmaben, in ordour and forme according to the buik appointit for the same, and that enerrie landit man present his seruandis and tennentis quhen he is required according to his band, earnist cair and laubour mon be tane to se enerie ane present his man according to this ordour, na mon may be exemit or excensit of this poynt, for in that court, and dewlie vsing thairof, and obeydience to the same, standis the principale part of instice and ordour of the haill cuntrie. To assist with the stewart thair wald be five or sex of the wyisest men of the cuntrie as deputis, off the quhilk nowmer thair wald be twa Johnnestounis of the wysest and ressonabillest men that cnd be found, and to gif the Larde of Johnnestonn occasioun to think that the correctioun of his thevis is nather done for gredines nor ony kynd of particularitie, expedient it is that sic of his men as enteris be his band to the lawis and ar found culpable and executit for thair crymes, he sall hane the anc half of thair escheittis, the vther wald be delt equalie betuix the wyfe and the bairnis gif ony wer and the officeris that maid the serche. And to se the same indifferentlie vsed, verrey expedient it is that the Kingis Maiestie send ane or twa wyis men to Drumfreis in the hinder end of September zeirlie, to handl ane justice court; thair to vnderstand the estait of this cummersum cuntrie, and thair to se that the warden hes trewlie and diligentlie done his office; thair to vnderstand that the baronis and gentilmen hes dewlie obsernit thair bandis; and thairof to mak informationn to the Kingis Maiestie and counsale; that gif ony misordour be in November nixt ensewing, quhilk is the principale moneth of the zeir for thair pyneisment, correctioun may be maid. And becaus the Lord Hereis, the Lord Carlile, the Lairdis of Drumlanrik and Lag hes landis in Annanderdaill, it is requisite that they sall assist the warden and answer for thair men, and expedient [that] they sall remane with honest honshauldis in tymes of greit dissobeydience in that cuntrie; the Lord Hereis in Hoddum, the Lord Carlile in Kelheid or Torthorwald, the Laird of Drumlanrik in Monswald or Ros, the Lard of Lag in Rokell, the Lard of Johnnestonn, accompanyit with ane honshald of his trew and honest freindis, at his place of the Lochtwode, and Apilgirth sic lyke at his hors of the Spedlingis, and gif the Lord Maxwell, beis not warden, at his hous of the Langholme. Humyll supplicatioun is to be maid to the Kingis Maiestie, oure souerane Lord and heid, that it may pleis his Hienes for discharge of his conscience and honour, and for avoyding of this greit innocent bluidshed, and oppin avowit rubbrie in this his cuntrie, the like quhairof is not in vther realmes, that his Maiestie will grant ane worthy gentilman to be capitane, and waigis to xxiiij wele horsit men, with him to ly at his Hienes destroyed toun of Annand, to attend vponn his officiaris command for pyneisment of dissobeyaris and theis ewill disloyall subiectis, and that the capitane have in the zeir twa hundredth ponndis, aucht greit bollis of aittis, and euerrie ane of his suddartis ane hundredth pandis, and foure bollis of aittis, thir aittis to be tane vp of the Grange of Lochmaben, the money extending to twentie sex hundredth pandis onlie. The Kingis maiestie with anise of his honorable counsale will pleis to appoint sum casnalitie gude payment, and may continew to this gude office, quhilk I traist in Almychtie

God he sall find rycht weil bestowed that neur ane of his nobill progenitouris bestowed thair geir bettir, nor did ane mair godlie nor honorabill act, not King David that foundit all the abbayis him selff.

It is expedient that the Lord Maxwell, quhais guidschir gat the maist part of the landis of Esdall, Ewisdall and Wauchopdall fra the said lait Kingis Hienes, of gude memory, gif he be warden and remane at Lochmaben, haue ane honest man his depute and capitane in the Langholme and to dantoun that gret nowmer of mischevous thevis spend vpoun him and ane houshold thair the haill proffettis that may be gottin of they landis and Kirkis of Watstieker, Stephen Gortoun [Stabilgortoun], Wauchope and Natherkirk of Ewis (I meane alwyis Goddis seruice be the Ministeris to be first sustenit), the haill advantage with the maillis, multuris, maus and vtheris detfull dewiteis to be spendit in the Langholme, quhilk I think may wele sustene twelf habill horsmen with thair capitane. Expedient it is that this capitane or keipar of this ewill cuntrie hald euerrie moneth anis ane court at Stephen Gortoun [Stabilgortoun], and, that the trew subiectis adiaacent to they weikit people may the bettir vnderstand quhen to haue iustice, proclamatioun wald be maid in Jedburgh, Hawik, Selkirk, Moffet, and Lochmaben, that the first Tyisday of euerie moneth of the zeir the court is to be haldin at Stephin Gortoun [Stabilgortoun] foirsaid, and that the principale Lord him self in his awin persoun, in the four quarteris of the zeir, hald it to se that na trew men haue caus to complene vpoun his depute for laik of iustice aud for the certantie thair of that same be dun the first Tyisday of the first moneth of the four quarteris of the zeir.

Verray necessar it is that the Kingis Maiesteis rewynous hous of Lochmaben be helpit with sum casualitie quhen it sall fall, for ua honest man can haue being thair now. Inlykmaner that the hous of Annand be, be sum casualitie buildit agane for thair mon meikle the resort of the warden and gentilmen be gif gude ordour continewis in the cuntrie induring the peax or ressistence aganis England in the wearis. The wache toure vpoun Trailtrow callit Repentance mon be mendit of the litill diffacing the Englische army maid of it, and according to the formar devise, the greit bell and the fyir pan put on it; and ane trew man haiff ane husband land adiaacent for the keping of the continuall wache thairvpoun. The warden mon employ the vnlawis for byding fra raidis and dayis of marche to fortify and strenthiu the keipar dyke that enveronittis the toun of Annand, and to put twa straug barress iuto it according to the formar ordour thairvnto diuisit, for into sic offices thir commoun vnlawis aucht to be employed, and beaud weil vsed thair wilbe sufficiencie of thame to do it, and they will be gevin with the les gruge, and to caus the cuntreis adiaacent to the watter of Annand cast and strenthin the fuirdis thair of, according to the aucieut and commodius ordour thairfoir appointit.

As to the debatabill land quhilk is laitlie fallin to the croun, and na heritour dewlie clamung the same, it is expedient that the wardane honorabillie accumpaynit, sall pas and hald court vpoun the same landis in the kingis name, register the haill boundis of the landis and all the occupiaris thair of, and how meikle euerie ane of they principale thevis that clames for thair part to be kyndlie steding to thame; is to knaw of thame quhat securitie they will find to the officiar in name of the King for thair trew and loyall seruice, and gif four or five of thame making gude offeris vpoun thair detfull obeydience and dewlie answer the warden in all tymes cuming for all the inhabitantis of that ground euerie ane within his awin boundis solemnpnitlie sweir the samyn, and gif in thair plegis, sic as salbe required of thame for performance thair of; beand bound to vphald sic nowmer of horsmen as the wardeu vpoun the vewing thair of sall vnderstand ressonabillie it may sustene for serving of the realme gif it pleis the Kingis Maiesteie. It is to be gevin thame takis of they landis, as the King of England hes gevin the Grahames, thair nychtbouris of

the lait debatable laud that fell to England, and meikle mair heside it, and I traist all this sall not suffice to mak thame gude men. Bot this foirsaid gude ordour obseruit he the warden will caus all the rest and thame to obey.

Necessar it is that the dayis of marchis he haldin euerie fourtie dayis anis, or within twa monethis at the maist, according to the buik and lawis of Marchis, and that he that is offendit bute ressaue his redres, with dowbill and sall feir, according to the huke and lawis foirsaid, the spairing of the dowbillis, quhilk is owir meikle done, is aganis the lawis, encourageing of thevis, and mak greit nowmer of offences that wald not be done.

This ordour keipit, and to this the Kingis Maiestie and my Lordis of his Hienes counsale ernstlie halding hand to the pyneisment of the proud dissobeyaris and for na mannis solistatioun leif the wilfull and proud malefactouris vnpvnist sic landit men as the warden hes worthy caus to complene vpoun I traist in Almychtie God thair sall continew vpoun that marche, quhilk hes bene euir the maist trubilsum part of the realme, greit quietnes to the plesour of his devyne Maiestie, the Kingis Hienes greit honour, discharge of his conscience and obeydience, and to the greit weill of the realme and all houest and trew subiectis thairrof. The Kingis advantage in custume of his wollis reteneing of the cattell within the realme that now ar tane furth of it he stonth and reif and sauld in England and plenning of the ground that now ather is waist or occupyit be thevis, quhairrof the stoir nor wollis cummis to na gude vse, sall xxvj^e li. augment his Hienes patrimony.

In consideratioun of the greit and cummersum office that the west wardauerie is, expedient it is that the warden induring his office remane vpoun his charge and verray seindill be furth of that cuntrie; bot haue appoiutit him be the Kingis Maiestie sum worthy man in gude credit of his Hienes, to quhom he may direct his writingis at mair lenth of the Kingis seruice, and the estait of that cuntrie frome tyme to tyme as it fallis furth, and be him to ressaue the Kingis Hienes and counsallis commandiment at mair lenth nor is expedient to his Maiestie to write sa mouny ocasionis of aduertesmentis will occur.

The Lord Maxwellis Answer :—

I humilie beseik zour Maiestie to consider of the Lord Hereis aduise anent the gude ordour to he obseruit in the West Marche, as he callis it, befor zour Hienes sall allow the same; for be perusing thairrof zour Maiestie may easilie persae that in sum heidis it tuicheis me onlie in particular, verray preiudiciale to the liherteis, heretage and offices grantit be zour Maiesteis maist nobill progenitouris, to zour Hienes humyll and obeydient seruitouris, my foirbearis heretabillie, for thair trew and faithfull seruice; and lyke as I succede to my parentis liberteis, landis and office, sa my hoip is in God that zour Hienes sal haue prui with tyme of me, following thair trew, faithfull and obeydient seruice to zour Grace, at the vttermest of my sobir power, quhairvpoun I traist zour Maiestie sall not lyke weill to alter or change that gude mynd of zour Maiesteis maist royall predicessouris for ony pernicious counsale diuisit in the contrare.

First, qnhair the Lord Hereis thinkis it gude that the warden sall mak his residence in the Kingis Maiesteis castell of Lochmaben, &c., I answer the same is verray hurtfull to me be thir ressonis following, viz. : that the custody of the said castell is ane seuerale office, having feis and dewiteis appropriat thairto of lang tyme, to the quhilk I am maist kyndlie as may appeir alsweill be diuers takis maid be oure souerane Lord and his predicessouris of gude memory, as be ane contract of aggrement past betuix the Lord Hereis and me. Farder, it is maist neidfull for dew obeydience to the Stewart court of Annanderdaill, quhilk is thoct expedient to be haldin

ouklike in the toun of Lochmaben, that the keiping of the castell be committit to me, as stewart thairof, for my residue thair, becaus that hous is maist couvenient for that office. As for the wardauns residence in that cuntrie I think the place maist propir to be it is Annand, for thairby he sall haue the lyke commoditie on this syde that the opposit wardeu ressauns be his remainiung at Carlile, in respect that the sameu is narrest and adiacent to the fronteris, and of the like distance with Carlile, etc.

Secundlie, quhair he thinkis it expedient that the Lard of Johnnestoun sall haue the ane half of the escheittis of his men executit be justice introduceing thairvpoun as quha wald say it sould gif him occasioun to lyke weill of his thevis correctioun, the vther half thairof to be delt equalie betuix the wyfe and bairnis, etc. This point also is verray preiudiciall to my office and liberteis, ze na les to his Maiestie and the commoun weill, for gif the Lard of Johnnestoun salhaue this rewarde for his disobeydieuce, vther baronis may tak the lyke occasioun of disobeydience, quhill they obtene the same libertie our thanis; mairowir, na gude ressoun thair is quhairfoir the casualiteis of the cuntrie salbe taue fra his Maiesteis officiaris, quha mon sustene the panis, and evin to ony particular persoun not deserviung or worthy of the same furby the auld auncient custume and geuerall baud, etc.

Thridlie, quhair he appointis the ferme corne of Lochmaben to be applyed to the garisoun for thair hors corne, omitting a certautie quhair thair stipend sould zeirlike be had extending to thre thowsand nyne hundreth markis, a mater of gretar importaunce be sevintene fauld and mair, &c. This corne, quhilk he wald appropriat to thame, is the cheif fieall annexit for custody of the castell of Lochmabeu als meikle to say *tye the Kirk, and theik the queir*. Mairowir, gif his Hieues sall pleis to repair in that cuntrie, as his Maiesteis maist nobill guidsyre frequentit, I pray zow quhair sall the Kingis hors corne be hed.

Fourtlie, quhair he allegis, It is expedient that I haue ane capitaue in the Langholme, and spend vpoun him and his houshold thair the haill maillis, multuris and vther detfull dewiteis of my landis thair, togidder with the haill proffeittis of the Kirkis of Watstirkar, Stabilgortoun, Wauchope, and Nether Eus my kyndlie takis, etc. :—The geuerall band satisfys this article, ffor seing that I haue buid myself als straitlie for my landis and seruandis to the kingis Maiestie as the remanent frehaldaris within the wardanerie hes done justlie and of gude ressoun, the diuis to caus me sustene ouy gretar houshold in they partis nor as I pleis, may be thocht to proceid frome a uew consait not altogidder sounding for the necessitie of the caus. Alsua this diuys tuichis ua vther bot me.

Last, quhair he appointis the toure of Trailltrow to be repairit according to the first institutioun with ane husband laud to be geuiou to sum houest mau that sall dwell thairiu, etc. ;—The mater I grant is litill to effect, zit, nottheles, in respect the same is of my heretage, equitie requiris the same to be na forder employed to aue commoun vse thau vthir landis and houss thairto adiacent. Mairowir, I hard na word of this institutioun quhen as I coft the said hous with the landis fra the Lord Hereis, eftir that he, being my tutour, had tane the samen in few, owir my heid the tyme of my minoritie, na thiug regairding the kyndlie takis of my fairbearis with my awin, etc.

Schir, I maist humilie beseik zour Maiestie to tak na vther opinioun of me bot as of aue faithfull and obeydient subiect redy to obey zour Hienes with all kynd of humyll seruice, albeit I oppone my self to thir particular diuisis for the ressouns abone expremit, rather inventit vpoun malice, thau ony favour to the commoun weill.

109. BOND OF MANRENT by GEORGE MAXWELL of Newerk to JOHN EARL OF
MAR. 22d May 1580.¹

BE it kend till all men be thir present lettres, me, George Maxwell of Newwerk to becumin man, and be the tennour of thir presentis fayth and trewth of my body lelclie and trewlie becumis man in speciall retinew, manrent, and seruice to ane nobill and michtie lord, Johnne Erll of Mar, Lord Erskin, to be with his lordschip be my self, my men, tenentis, seruandis, and all that I may procur, in peace, weare, manrent, and seruice befoir and aganis all and quhatsumeuir personis, the persoun of our souerane lord the Kingis maiestie onelie exceptit, during all the dayis of my lyff, and sall gif the said lord the best counsall I can in all thingis quhen eur he salhappin to requier the same, and sall keip his counsall secret in all thingis tendiug to honour and wirschip. I sall nayther heir, se, nor wit of ony mauer of harme, skaytht, or apperand perell to his lordschip in prevy nor a part, bot I sall warne him thairof in all possibill haist, and lat and stop it with all my gudeli power, and salbe redy at all tymes, lait and air, to his lordschipsis seruice at quhat tyme and als oft as I salbe chargeit and warnit thairto, and I sall defeud his lordschip in body and gudis, but fraude or gyle, sa help me God : In wituess quhairof I haue subscriuit thir presentis with my hand as followis, at Strineling, the xxij day of Maij, the zeir of God J^m v^c four scour zeris.

GEORGE MAXWELL of Newerk.

110. BOND OF MANRENT by ROBERT MAXWELL of Cowhill to JOHN LORD MAXWELL.
15th March 1580.

BE it kend to all men be thir present lettres, me, Robert Maxwell of Cowhill, to be bundin and obleist, and be the temmour heirof faythfullie bindis and obleissis me and my airis to ane nobill lord, Johune Lord Maxwell, my cheif, and his airis maill lauchfullie gottin or to be gottin of his bodie, in afald sikkerues and trew band of manrent, seruice, and lautie, that I sall, with my brether, brether sones, freindis, seruaudis, tennentis, and dependaris, leillilie and trewlie serue and depend vpoun the said lord and his foirsaidis, concur and assist with him and thame, his kin, freindis, and partakeris, in all thair actionis, caussis, quairellis, and effairis quhatsumeuer, lefull and houest, aganis quhatsumeuer persone or persones (my allegiance and lawtie to oure souerane lord the kingis maiestie allanerlie exceptit), and sall not, in tymes cuming, nother heir, se, nor permit his lordships skaith nor hurt, in persone nor guidis, in ony sort, bot sall aduertis him thairof and let and stop the samin at the vttermost of my power ; his counsale and secreitis schawin and reuelit to me I sall conceill and keip secret, and gif him and bis airis foirsaidis the best and faythfullest counsale I can to thair honour, weill, and proffet : And heirto I faythfullie bind and obleiss me be the fayth and trewth of my bodie, all fraude and gyle secludit and away put, be thir presentis subscryuit with my hand, at Ediuburcht, the fyftene day of Marche, the zeir of God I^m v^c four scoir zeiris, befoir thir witnesses, Archibald M^cBrair of Almagill, prouest of Drumfreis ; us, David Maxwell, brother-germane to Robert Maxwell of Cowhill ; Johnne Henryson, writar, notar publick ; and Adame Couper, his seruitour, with vtheris diuers.

ROBERT MAXWELL of Cowhill.

¹ Original Bond in the Mar Charter-chest.

111. AGREEMENT between ESME EARL (afterwards DUKE) OF LENNIX and JOHN LORD MAXWELL, relative to the partition of the Earldom of Morton. 29th April 1581.

At Dalkeith the xxix. day of Aprile, the zeir of God ane thousand fywe hundreth fourscore ane zeiris. It is appointit, concordit, and finalie contractit, betnix nobill and mychtie lordis, to wit, Esme Erle of Levinax, Lord Darnlie and Anbignie, etc., greit and heich chalmerlane of Scotland, on the ane pairt, and Johnne Lord Maxwell, sone and apperand air to Dame Beatrix Dowglas, dochter and ane of the thrie airis of vmquhile James Erle of Mortoun, that last deceissit and thairthrow maist abill to succed to the said vmquhile Erle, his gudschir, on the vther pairt in maner, forme and effect, as eftir followis :—That is to say forsamekill as James, now Erle of Mortoun, being delatit of certane crymes of tressoun and lesemaiestie allegit committit be him, and presentlie in ward quhill he be accusit criminallie thairfore, qnhairthrow onr Souerane Lord hes entres to mak factonris to intromet with his castellis, places, landis, leving, gudis and geir and haill proffittis thairof, to be furthcumand to thame sal haif rycht thairto qnhen the mater salbe tryt ; the said Erle of Levinax sall do his exact diligence to requeist and mowe the Kingis maiestie to mak and constitute the said Johnne Lord Maxwell and his airis maill and thair depntis his hienes chalmerlanis and factouris off all and sindrie the landis and baronies of Mortoun Prestoun vnder the Fell, Moscarscho and all pairtis pendiclis and pertinentis thairof, togidder with all and sindrie vtheris landis, baronies, takis, stedingis, rowmes and possessionis qnhatsmenir of the Erledome of Mortoun and Lordschip of Dalkeith, prevelegis and liberties of the samin quhilkis pertenis to the said vmquhile James Erle of Mortoun, his gudschir, quhairneir thay ly within the schirefdomes of Dumfreis and Wigtoun and within the stewartries of Kirkcudbrycht and Annanardail, and als capitanis and keparis of the castellis, touris, fortalices, and places pertening to the saidis erledome and lordschip, within the bonndis foirsaidis, and ressonabill feis and dewities to be modifiit and allowit to him for the keping of the saidis housses and places, and lanbouris to be takin be him, and his servandis in vsing of the said office of factorie, of the rediest of his intromissioun vnder writtin, with power to iupute and outpute tenmentis in the saidis landis, baronies, takis, stedingis and vtheris respectiue abone specifit, intromet with and vptak the mailles, firmes, proffittis and dewities thairof, cornis, cattell, gudis and geir being thairvpone during the space foirsaid, vpone compt to be maid be the said Lord Maxwell and his foirsaidis of the proffittis of the saidis landis, gudis and geir to be intromettit with be him, quben he salbe requirit be onr sonerane Lord thairfore, and als sall solist and requeist his maiestie to rewok and dischairge all vtheris factories maid and grantit be his hienes to ony persoun or personis for ingaddering of the proffittis and dewities of the saidis landis, baronies and vtheris respectiue abone reheirsit, lyand as said is, swa that the said factorie and commissioun to be grantit to the said Lord Maxwell, may tak full effect presentlie or sa sone as his Grace may be movit to mak the said reuocationn : Siclyk the said erle of Levinax sall do his vtar diligens and lanbouris to move our said sonerane Lord to gif command to his grace' aduocatis to raise breves of idiotrie in commonn forme aganis the thre dochteris of the said vmquhile James Erle of Mortoun, be the said Lord Maxwellis informatioun ; and thay being fundin furions or idiotis, the Kingis grace to mak the said lord, as thair narrest agnat of kin, tutour and gydar to thame during thair lyftymes ; and in cais proces of forfaltoun be led aganis the said James, now Erle of Mortoun, the said Erle of Levinax sall do his diligence in that cais to move our souerane lord

to dispone heretabillie to the said Johnne Lord Maxwell and his airis maill, all and hail the saidis erledome of Mortou and lordschip of Dalkeith, landis, leving, all baronies thair of, annuclrentis, castellis, touris, fortalices, places, woddis, mylnis, fischeingis, tennentis, tennaudries, seruice of frie tennentis, aduocatioun, donatioun, and rycht of patronage of kirkis and chaiplanries of the samin with all and sindrie annexis, connexis, prevelegis, liberties, outsettis, pairtis, pendiclis and pertinentis thair of quhatsumeuir, and all vtheris laudis pertening to the said James, now Erle of Mortoun, with all rycht, titill, entres, clame of rycht, and supplement of all faultis in maist ampill forme of infestment, execept the toun, landis, castell and baronie of Dalkeith, the landis and baronie of Caldercleir lyand within the schirefdome of Edinbwrgh, and the tonn, castell, landis, and baronie of Abirdour, lyand within the schirefdome of Fyff, and that for the sowme of thousand markis money to be gevin be the said Lord Maxwell, as for the compositioun of the said infestment, and thairefter the said erle of Levinax sall qnyte and demit all landis, rowmes, and possessionis of the saidis erledome and lordschip content in his factorie, to the said Lord Maxwell (except the saidis landis, baronies, townis, castellis, and vtheris befor execeptit), quhilkis sall remane with the said erle of Levinax, of consent of the said Lord Maxwell, foreuir. For the quhilkis causis the said Johnne Lord Maxwell promittis faithfullie to intent actionn of rednctioun with all p[ossi]bill diligence of the said Erle of Mortouns rycht of the saidis erledome and lordschip, or of thair rychtis fra quhome his rychtis of the samin procedis, to the quhilk the erle of Lexinax sall not onlie mowe the kingis maiestie to assist equitabillie with the said Lord M[axwell], bot als the said erles selff sall assist the said lord to haif iustice with expeditioun in the said actioun of rednctioun vnto the finell end [of the samin]. The said forfaitour being perfytit, or the said actioun of rednctioun being obtenit be the said Lord Maxwell, he is content and con[sentis] that the said erle of Levinax obtene sik rycht and titill as he may of our said souerane lord, off all and sindrie the saidis landis caste[ll and baronie of] Dalkeith, the laudis and barouie of Caldercleir, and the landis, baronie, toun, and eastell of Abirdounr, mylnis, woddis, fischeingis, aduocatioun, [donatioun, and rycht of] patronage of kirkis, and chaiplanries, teunentis, tennandries, seruice of frie tennentis, liberties, prevelegis, annexis, conne[xis, pairtis, pendiclis, and] pertinentis of the samin, to be haldin of our said souerane lord and his successouris als frelie as ony vtheris heretouris tha to remane with the said erle of Levinax, his airis, and successouris of consent of the said Johnne Lord Maxwell without ony to be movit or intentit be him thairfore, ather as air to his said vmqnhile gudschir be rycht of rednctioun foirsaid, or be [ony rycht he] may pretend or haif to the samiu or ony pairt thair of in tyme cuming, and als sall mak to the said erle of Levinax vtherwys as men of law can devys sa oft as neid beis, and the said Lord Maxwell requirit thairto for the said erle baronies, and vtheris befor execeptit, swa that the said Lord Maxwell sall be content and acceptis the vtheris landis erledome and lordschip for his portioun and pairtaige thair of, but fraud or gyll: and ather of the saidis nobill lordis, the premises to vtheris, ilk ane for thair awin pairtis thair of to vtheris, be this present subscriuit with thair handis, [day, zeir and place] foirsaidis, befor thir witnesses, James Lord Ogillwy, Marc, commendataire of Newbottill, of Cowhill, and Mr. Henry Ker of Greinland, with vtheris diuersis.

E.¹

¹ With the exception of the first letter E in the signature of "Esme," the signatures have been torn away from the original, and also a portion of the

body of the Deed, which will account for the blanks in this print.

112. WILL OF SIR JOHN MAXWELL, FOURTH LORD HERRIES, made at Terregles,
26th May 1582.¹

Att Terreglis, the xxvj day of May the zeir of God j^m v^c lxxxij zeris, the quhilk day aue nobill and potent lord Johne lord Hereis, etc., maid his legacie and lattir will as followis, viz. : In the uame of Almychtlie God our hevinlie and mercifull father and of his sone oure lord Jesus Christ and of the Halie Gaist, I leive my saule to God, of quhome I haif resauit the samin, besekand him, for Jesus Christ his sone and my Saluouris saik, to ressaue me in his greit mercie. I leive my wyf and eldest sone my executouris, and the Laird of Lochinvar, my gudesone, to be ouer man. I ordine my leving and gudis to be dispoit in maner following : my wyf to haif the place and barroneis of Terreglis and Kirkgunzeane (except the place of Kirkgunzeane), witht the steiding of Couneving witht the waird belangand to the said place, quhilk I ordine my said sone to haif of his mother for seruice and gude caus making, vtherwyis not, and that becaus all the landis ar cumin be hir. I ordine my sone and air to haif the half barrony of Vr haill, wytht the haill landis of Annandaill, Barnebachill, Bischope Forest (according to the fewis as it presentlie standis) Kinhervie, the fewis that I haif in Halywod witht the fischeingis that I haif in Dundrenen, the landis of Inglistoun and the Laithis. I ordine my sone Robert the Spottis, the Nethir Law, Linkingis, Castलगур, witht the plennising and the mylnis of Dumdreuane witht the vthir stedingis he is put in few of, doing thairfore as is efter specefeit. I ordine my sone Johne the pensioun of Tungland quhilk is fyve hundreth merkis, the parsonage of Kirkpatrik Irnegray wytht the penesioun of the Halywod wytht the fewis of Drumdrenane quhairin his bruther James wes put to be vsit in maner eftir following : Imprimis, I will that my said sone Robert intromettand wytht his foirsaid leving pay to my dochter Grissel ane thousand pundis quhen scho cummis to the age of xiiij zeris, and that he find gude and sufficient caution thairfore presentlie, vtherwyis gif he refusis sa to do that, the proffeitis, fermes, and dueteis of the haill landis, the maill of the Nethirlaw ouelie exceptit, be tane up to hir vse be hir mother and ouer man for-said, quhill it cum to that soum wytht ane thousand merkis in the handis of Maister Mark Ker, and fyve hundreth merkis in George Hereis hand, quhilk makis in the haill thrie thousand merkis that scho may haif samekill frie by hir bairnis pairt of geir to marie hir wytht : I will Grissellis thrie thousand merkis be payit this way—ane thousand in maister Mark Karis hand, ellevin hundreth merkis in Robertis handis, nyne hundreth merkis in my wyfis handis, to the quhilk scho is maid assignay. Item, I ordine my sone Eduard to pay to Sara my dochter the soum of thrie thousand merkis according as he hes contractit and fundin caution and failzeing of Sara be deceis to Nicolas hir zounger sister ; the thousand pundis Robirt wes ordinit to pay Grissell, I will it be gevin to Sara, becaus Grissell is to be payit vtherwyis. I will that my wyf and Johne my sone gif of the proffeitis of the saidis pensiones of Tungland and Halywod, and of the parsonages of Kirkgunzeane and Kirkpatrik to my dochter Nicolas the soum of thrie thousand merkis at hir age of xiiij zeris, by hir baruis pairt of gudis gif scho gettis not the thrie thousand merkis be deceis of Sara and becaus this is maist hard to get done, I will that thay sall haif the sex hundreth merkis, that was lennit to my sone Robert quhen he tuke the wedset of Orchartoun to help the payment of this thrie thousand merkis. I leue my bastard sone James to my sone William to be seruand to him, ordining him to entertein him as he makkis gude deseruing ; and becaus Sande is,

¹ Edinburgh Commissariat Testaments, vol. i. 2, 11th July 1583.

as I haif fund, of an euill inclinacioun, I will that he sall haif of my geir quhen I die ane hundredreth pundis, for that he wes wranguslie namit vpoun me : Gif it sall chance ony of my dochteris to de, the deidis pairt to be delt amangis the rest of my dochteris thau vnmareit, I ordine of my fermes and dueetes awand to me my hous and haill seruandis be kept to the nixt terme efter my deceis, and that my seruandis haif thair feis honestlie payit thame, leving euery ane of thame ane honest rewaird according to the tyme thay haif awatit vpoun my seruice. I ordine that all my clathes and horsis salbe disponit to my seruandis that ar rydand men according to the discretioun of my saidis executouris and ouer man. I will that my wyf sall pay my dettis vndelayitlie, that is within ane moneth efter my deceis, every penny as God and ressane knawis to be trew, quhilk I traist in God Almychtie is not abone ane hundredreth pundis presentlie, quhair of thair is fourtie pundis awand to Nichole Maxwell of Arkland. In witnes heirof, I haif subscriuit this present witht my hand, day, zeir, and place foirsaidis, befoir, etc., and subscriuit be the said vmquhile nobill lord awine hand. *Sic subscribitur*,
L. HERIES.

113. REMISSION by JOHN LORD HAMILTON, Warden of the West Marches, to
RICHARD HERIES in Barnebarroch and others. 1586.

WE, Johnne Lord Hammiltoun, etc., Lieutenent to our souerane lord within all the boundis of the west merchis of this realme foiranent England, and Justice in that pairt within the samyn, be thir presentes respettis and remittis to Richert Hereis in Barnebarroch, Alexander Ahannay thair, and George Hereis in Auchinshein, all danger and perrell of thair lyfis quhilk we haif, hes, haid, or may haue aganis the saidis personis throw being of the saidis personis convictit be ane assyss for ressett of Dauid Murray of the Eckat, his brethir, and thair complices, and gevin of thame meit, drink and harberie, as at mair lenth is contenit in thair convictions, with all actioun, cryme, and offence that may follow thairupoun, and restoris and rehabilitatis thame to thair honour and fame, and thir present letteres of respett for the space of nyntene zeiris to indure : Be thir presentes subscriuit with our hand and gevin vnder our signet at
the
day of
the zeir of God j^m v^c four scoir sex zeiris.

JOHN HAMMYLTON, Persone of Creiff (?) Justice Depute.

114. OBLIGATION by WALTER GRAHAM of Netherbie and others, for Robert Graham of Fauld, to WILLIAM LORD HERRIES. 1st April 1588.

WE, Walter Grhame of Netherbie, William Grhame of Milleyis, George Grhame of Kirkcanders, sone to Thom, Robert Grhame of Fauld, Jok Grhame of the Peth , Daid Grhame of Bankheid, William Grhame of Milhill, be the tenour heiroff faithfullie promiseissis, and hindis and obleissis ws coninnctlie and seueralie, and our airis, that I, the said Rohert Grhame of Fauld, sall enter agane to William lord Heries, within the hurght of Drumfreis, within aucht dayis nixt efter we or ony ane of ws salhe requirit thairto, ather he the said lord or he the laird of Johnstoun, the zoung laird of Cokpule, the zoung laird of Holmendis, or ony ane of thame four, or he ony persone or wryting in thair names, vnder the paine of dishouestie and tynsall of credit and estimatione for ever, to ws and our surname in all tyme thairefter, he this our hand, snhscriuit be ws in maner following, at Drumfreis, the first day of Aprile the zeir of God 1^m v^c fonnscoir aucht zeir, hefoir thir witnesses, James Laird Johnstoun, Johne Irwing of Knokhill, Andro Johnstoun of Kirkcoun, Rohert Gourlaw, and John Broun zongar.

WALTER GRAM, DAUYD GRAME,
WILLEM GRAME, JOHNE GRAME.

Writtin he Johne my sone.

WE, George Grhame of Kirkcanderris, Rohert Grhame of Fauld, and William Grhame of Milhill, with our handis at the pen, led he the notar vnderwrittin at our commandis, hecaus we culd not wryte.

ITA est Petrus Turner, notarius publicus, mandatis dictorum Georgii, Roherti et Willelmi scribere nescientium, coram testibus predictis manu propria.

115. BOND OF MANRENT by SYM ARMSTRONG, younger, of Whitehauch, to JOHN EARL OF MORTON, LORD MAXWELL. 28th January 1589.

BE it kend till all men he thir present lettres, me, Sym Armestrang, zongar of Quhythauch, to be bnnd and obleist, and be thir present lettres, and be the fayth and trewith in my hodie, lelelie and trewlie hiudis and obleissis me to the rycht nohle and potent loird, Johnne Erle of Mortonn, Loird Maxwell, etc., that I, in all tyme cuming during my lyfytyme, I sall serue the said nohle loird, and tak ane afald leill and trew pairt in all and sindrie caussis, actionis, and quarrellis concerning his lordschip aganis all that levis and may die (my allegeance to our souerane loird being allanerlie exceptit), and that I sall nowther heir, sic, nor kuaw the sade nohle loird, his airis, nor hous, skayth or hurt, in previe nor apert, bot I sall warne his loirdschip thairoff, and stop the samyn to my pover; and that I sall conceill his loirdschippis counsall he schawis me, and gyf him the hest, likliest, and trewest counsall I haue: and heirto I hind and obleiss me faythfullie be the fayth and trewith in my bodie, vnder the payne of perinrie, defamatioun, and tinsall of perpetuall credit and estimatioun incais I cum in the contrair thairoff: In witnes quhairroff I haue causit the notar vnderwryttin subserve thir presentis with his hand at my command, becaus I can nocht wryit, at Drumfreis, the tuentie aucht day of January, the zeir of God 1^m v^c four scoir nyne

zeris, befor thir witnessis Herbert Maxwell of Cavens, maister Alexander Maxwell, and Will Armestrang, callit Will of Kymment, with vthers diuers.

I, Sym Armestrang, zoungar of Quhytthauch, with my hand at the pen, led be the notar vnderwryttin at my command.

Ita est Jacobus Rig, notarius publicus, mandato predicti Simonis Armestrang junioris de Quhythauch scribere nescientis (ut asseruit), hac mea subscriptione manuali testante.

116. ORDER by KING JAMES THE SIXTH to WILLIAM, FIFTH LORD HERRIES, to deliver up the Castles of Carlaverock, Treave, Mearns, and Morton. 29th September 1589.

JAMES, be the grace of God king of Scottis, to our louittis Jhone Maxwell

Messingeris oure Schireffis in that part, coniunctlie and seucralie specialie constitute greting : Oure will is, and for certane caussis and considerationis moving ws, We charge zow straitlie and commandis that incontinent thir oure lettres sene, ze pas and in oure name and authoritie command and charge Williame Loird Hereis, and all vtheris keparis of the place and fortalice of Carlaverok, and all vtheris keparis of the place and fortalice of ~~Langholme~~, Schir Johnne Gordoun of Lochinver, knyght, and all vtheris keparis of the place and fortalice of Treif, and all vtheris keparis of the ~~place and fortalice of Lochmaben~~, and all vtheris keparis of the place and fortalice of Mernis, and all vtheris keparis of the ~~place and fortalice of Duchallis~~, and all vtheris keparis of the place and fortalice of Mortoun, to rander and deliuer the same places, honsses, and fortalices to zow our officiar, executor of thir our lettres, and to remove thame selffis and thair seruandis furth thair of within xxiiij houris nixtefir thay be chargeit be zow thairto, vuder the pane of tressoun, with certificatioun to thame and thay failze thay salbe repute, haldin, and persewit as tratouris, and, the proces and dome of forfaltour salbe led aganis thame, conforme to the lawis of oure realme and actis of parliament, as ze will ansuer to ws [thairu]poun : The quhilk to do we commit to zow, coniunctlie and [seuer]alie, oure full power be thir oure lettres, deliuering thame be zow dewlie execute and [endor]sate again to the berare : Gev[en] vunder oure signet and subscriuit with oure hand, at Cragmiller, the xxix day of September, and of our regnne the xxij zeir, 1589.



S^r. J. M. CANCELLARIUS.

This letter is registrat.—MR. ROBERT ZOUNG.

117. BOND OF MANHOOD AND SERVICE by the Inhabitants of the Burgh of Annan,
in favour of JOHN, EIGHTH LORD MAXWELL. 9th September 1591.

We, George Litle in Annand.	George Litle, alias Kyng, thair.	Thomas Pot, his sone.
Johne Tod thair.	Andro Welkin thair.	Johne Quariour thair.
James Welkyn thair.	James Velkin thair.	James Robesoun thair.
Johne Litle thair.	Johne Velkin, alias Ridlen	Thomas Robesoun, his brother,
Martyn Litle thair.	John, thair.	thair.
Villiam Rig thair.	Johne Galluay thair.	Mungo Grahame thair.
Robert Litle thair.	Villiam Galluay, his brother, thair.	Rychert Teynding thair.
Johne Litle thair.	Andro Carlell thair.	Thomas Hair thair.
George Hair thair.	Johne Carlell, his sone, thair.	Rychert Quhyit thair.
Jynkin Hair thair.	Robert Louche thair.	Dauid Johnneston thair.
Herbert Irving thair.	Rychert Millane thair.	Johne Veild thair.
Herbert Veild thair.	Alex ^r Bwman thair.	Anthone Weild, his sone, thair.
Johne Halida thair.	George Gask thair.	Nicoll Ra thair.
Thomas Louche thair.	Johne Gask thair.	Johne Meik thair.
George Grahame thair.	Villiam Heuchquhen thair.	Johne Corbe thair.
James Munsis thair.	Allex ^r Hair thair.	Andro Smyth thair.
Stewin Vilsoune thair.	Johne Palmar thair.	Johne Smyth thair.
Mathew Vauche thair.	George Hair thair.	James Smyth thair.
Dauid Ra thair.	Johne Hair, alias of Zeit.	George Smyth, his sonis, thair.
Johne Ra, his sone, thair.	Johne Hair, his sone.	James Teynding thair.
Johne Ra, elder thair.	James Pott thair.	William Hair thair.
Peter Ra, his sone, thair.	George Beli thair.	James Veild thair.
Johne Ra, son to vmquhile	Ferge Bell, his son, thair.	Ferge Litle thair.
Symon Ra.	Mathow Veild thair.	Gibbe Hegis thair.
Thomas Velkin, alias Bratis Thom.		John Jhonestoun thair.
Thomas Velkin, alias Barnis Thom.		
Thomas Welkin in Vynd thair.		
Johne Velkin, his brother, thair.		
Peter Velkin, thair.		
Symon Vauche, thair.		
Andro Rige thair.		
Dauid Blak thair.		
Luik Rychertsoun thair.		
Rychert Pott thair.		

LXXX.

Wnderstanding whow thankfull and beneficiall the lordis of Maxwell wes to ws and our said burgh and inhabitantes thairoff in thair honourabill lordships' lyfytyme, and howping that Johne erle of Mortoun, now Lord Maxwell, sall contenow in freyndship with ws and our successouris in tymis cummyng, and manteine and defend, fortefie and assist vs, our said burgh, and inhabitantes thairoff, liberteis and preuileges of the samyn, lyk as his honourabill lordschip hes done in

tyweis bygane ; Thairfoir, and for vther resonable causis mowen ws, we ratefie and apreiff, and be thir presentis ratefeis and appreuis, our handis of seruyce and manhead, maid be ws and our progeynitouris to the said nohle and potent lord and his lordschips honourabill progenitouris. And in speciall our band of manhead and seruyce maid he ws to the said noble lord, in ane oppin court haldin at our burgh of Annand, in presens of the said noble lord, the xxiii day of November, anno 1^m v^e and lxxiii zeris, off the quhilkis the tenor folluis word he word : The quhilkis day the hail inhabitantes of the town of Annand is suorne and is faythfullie promist to serwe my lord Maxwell, trewlie and vprychtelie, in all his lefull and honest causis aganis all deidlie, our souerane lord and regent except, and the said lord is promist to supple, manteine, and defend the saidis inhabitantes of the town of Annand in all thair just and honest causis aganis all deidlie, as ane trew and faythfull master, and in all thair liberteis and fredomis of hurgh, conforme to thair liberte and fredome vsit in his guidschir and fatheris tyme : Quhilkis band we, for our selfis and our successouris, bindis, ohlesis, and faythfulle promesis vs to obserue and keip to the said nohle and potent lord, and his lordschips successouris, contrare all men, the kyngis maiestie and his hyenes authoritie except : In vitnes of the quhilk thing we haif causit subscriwe thir presentis wyth our handis be our comoun clark as folluis, at Annand, the ix day of September 1591 zeris.

I, David Millair, notar publik and comoun clark of the hurgh of Annand for the tyme, wyth my hand, at the command, desyr, and earnest request of the personis abonevrittin, all present with thair handis seueralle tuiching the pen.

118. RESPITE by KING JAMES THE SIXTH to SIR JAMES JOHNSTON, and eight score others, for the slaughter of JOHN LORD MAXWELL, Warden, in December 1593.
Dated 24th December 1594.¹

THE LAIRD OF JOHNSTOUN et viij^{xx} aliorum.

ANE respite maid to Schir James Johnnestoun of Dunskillie, knight, Johnne Carmichaell of Medovflatt, Robert Johnnestoun of Raycleuch, Symoun Johnnestoun, brother to the laird of Johnnestoun, Robert Johnneston in Brigholme, Williame Johnnestoun, zounger of Gratney, Johnne Johnnestoun in Cummertreis, James Johnnestoun in Kirkton, David Johnnestoun, sone to Andro of Kendilheid, James Grahame in Langboidin, Johnne Johnnestoun in Mellanschaw, Mongo Johnnestoun in Howcleuch, Rohert Johnnestoun in Newtoun, Rohert Moffat in Grautoun, Jolne Johnnestoun in Chapell, Gawyne Johnnestoun in Rigschaw, Johnne Johnnestoun in Craigaburne, Neill Ewart of Boidisbeck, Thomas Johnnestoun in Brakaneside, Niniane Johnnestoun in Poldene, James Johnnestoun his brother, James Johnnestoun in Furde, David Johnnestoun iu Howgill, Gilbert Johnnestoun his sone, Johnne Johnnestoun in Howgill, Williame, Johnne, Johnne, and Gilbert Johnnestounes, sonis to the said Johnne William Johnnestoun in Eeckieknow, Thomas Johnnestoun in Milne, Adie Johnnestoun in Cleuchside, Johnne Johnnestoun iu Kirkhill, Williame Johnnestoun his sone, Williame Johnnestoun iu Scaffinbigging, Rohert Johnnestoun in Kirkhill, Niniane Johnnestoun in Fingland, Symon and Johnne Johnnestounes his sonis, Jock Johnnestoun in Scaywod, Sym Johnnestoun, sone to Martene in Kirkhill, Thomas Johnnestoun his brother, Eduard Moffat in Heweckis, Thomas Jardane of Birnock, Williame Johnnestoun in Hilhous, Patrik Moffet in Camcok, Cristie

¹ Reg. Sec. Sig., vol. lxxvii. fol. 43.

Moffet his sone, Mathew Moffet in Darmschaw, Sandie Moffet his sone, Robert Johnnestoun in Tounfit, Johnne Johnnestoun in Cairtertoun, Davie, Gawin, Williame, and Robert Johnnestoun, brether to the said Johnne, Gawyne, and Gilbert Johnnestonis in Annandholme, Thomas Johnnestoun in Fingland; Sym, Gawyne, Geordie, and Robert Johnnestonis, sonis to auld Thome of Fingland, Walter Johnnestoun of Corrie, Andro Johnnestoun, persoun of Tynnergairth, Johnne, Williame, and James Johnnestounes, brether to the said persoun, Mairtene Johnnestoun of Myreheid, Andro Johnnestoun his sone, Williame, Cuthbert, and Johnne Johnnestonis, brether to the said Mairtene, Mongo Johnnestoun in Lockarbie, George, Williame, Johnne, and Francie Johnnestonis, sones to the said Mongo, Davie, Williame, and Cuthbert Johnnestonis, sonis to auld Andro of Lockarby, Williame Johnnestoun of Bus, Eduard Johnnestoun of the Quais, Williame Johnnestoun in Grensyde, Cristie Johnnestoun, sone to Nicollis Eduard, David Johnnestoun in Fairholme, Patrik Johnnestoun in Auchinstork, Williame Johnnestoun in Auldwellis, Andro Johnnestoun in Milnebank, Johnne Johnnestoun his brother, Cristie Carrutheris of Dormount, Hobie Carrutheris his brother, Johnne Irwing of Lus, Harbert Irwing his brother, Hobie Irwing of Turneschaw, Williame Irwing his brother, Johnne Johnnestoun in Land, Williame Johnnestoun, gudeman of Lochmaben, Williame, Adame, and James Johnnestounes, brether to Elschescheillis, David Johnnestoun in Brigmure, Johnne Johnnestoun, his brother, Johnne Johnnestoun in Brumell, James Johnnestoun in Reidhall, James Johnnestoun in Garwell, Patrik Grahame in Brydeholme, Niniane Johnnestoun in Bordlandis, Williame Johnneston in Hesliebray, Williame Johnnestoun in Hilhous, Robert Johnnestoun in Rountreknow, Cristie Armestrang of Barnegleis, Symon Armestrang of Calfeild, Richie Irwing in Stuikhuich, Ekkie Irwing his brother, Williame Irwing callit Cang, Francie Armestrang in Quhithauch, Niniane Armestrang of Tueden, Eduard Irwing of Bonschaw, Eduard, Jaffray, George, and James Irwingis, sonis to the said Eduard, Walter Irwing of Kirkpatrik, Hobie Johnnestoun in Kirkhill, Sandie Johnnestoun in Gubhill, Sandie, Wattie, and Williame Johnnestonis, sonis to the said Sandie, Thomas Johnnestoun in Clauchrie, Johnne Johnnestoun his brother, Williame Ellet in Fallinesche, Robert Ellet his sone, Johnne Scot in Teuidside, Walter Scot in Ellenmouth, Maister Jedion Murray of Glenpwt, Williame Scott, Mr. Johnne Fairside, Robert Carnecorce, Johnne Murray, seruitoures to the Laird of Balcleuch; William and Walter Scottis, brether to Robert Scot of Thirlestane; James Scot of Gilmenescleuch, Robert Scot his sone, Sym Scot of Bonytoun, Johnne Scot of Hundilishope, Philp Scot of Dryhope, Walter Scot his brether, Walter Scot of Tuschellaw, Robert, James, and Johnne Scotis, sonis to the said Walter, Walter Scot, sone to Wat of Gaudylandis, Adame Scot, sone to Robert Scot of Auldtoun, Walter Chisholme of that ilk, Alexander Chisholme of Piehill, Walter Scot of Harden, Walter Scot, sone to Adame Scot of Todschawhauch, Robert Scot callit of Bowden, Johnne Scot in Dellorien, James Stewart of Twneis, Andro Murray, sone to Johnne Murray in Dellorien, with all and siudrie the saidis persones complices, for thair tresounabill taking of armes, and cuming in hostile and weirlike maner aganes vmquhill Johnne lord Maxwell, his maiesteis leutennent and wardane for the time, persute and slauchter of the said vmquhile lord, and of sindrie vtheris his hienes subiectis being with him in cumpanie, mutilatioun and hurting of vtheris commitit in the moneth of December or therby, the zeir of God j^m v^e fourscore threttene zeiris, as alsua for the said Schir James tressounabill breking of waird furth of the castell of Edinburgh in the moneth of preceeding the tyme fairsaid, fyre raising and birning of the kirk of Lochmaben and slauchter of vmquhile capitane Oliphant and sindrie vtheris his maiesteis subiectis, committit in the

moneth of immediately thairefter following : And for all actionn and cryme that may follow vpoun the comitting of ilk ane of the particular crymes abonewrittin, or onic wayis may be imput to the saidis personis or ane of thame therthrow ; and als for all vtheris tressonis, slauchteris, crymes, transgressiouis, and offences quhatsumeur committit be the saidis personis or onie of thame at onie tyme bygane preceding the date herof (tresoun in his maiesteis awin persoun, incest, witchcraft, inbringing, outputting, and exchanging amangis his hienes liegis of fals and adulterat money allanerlie exceptit) ; and that the said respet be extendit in the best forme, with all clauses neidfull, and for the space of fyve zeiris nixtocum efter the day of the date of the same, but onie reuocation to indure, etc. At Haliruidhous, the twenty foure day of December, the zeir of God j^m v^c fourscore fourtene zeiris : j^c li be his Maiesteis awin directioun. Per signaturam.

119. LETTER of KING JAMES THE SIXTH, dispensing with the attendance of WILLIAM LORD HERRIES before the Privy Council. 1598.

REX,—WE vnderstanding that our traist cousing, Williame Lord Hereis, being visite, as he is zit, with diuers diseasis and infirmiteis, sua that he could not keip the dyet appointit for his compeirance befor ws and oure preuey counsaill, vpoun the penult of Februaire last, he directit and send the Master of Hereis, his sone, instructed to do and performe quhatsumeur sould be inioyned to him be ws : In respect quhairof we haue dispensit, and be thir presentez dispensis, with the not compeirance of oure said cousing, and exoneris him of all paine, cryme, and dangeir that he may incur thairthrow for euir : Dischargeing oure officiaris of armes quhatsumeur of all denunceing or putting of him to the horue be vertew of oure lettriz direct to that effect : Dischargeing alsua the schireff clarkis of oure schirefdome of Drumfreis, of registring of the said hoirning, and of thair officeis in that parte quhairaneut the autentik copy of thir presentis, subscriuit be ane notair, salbe vnto thame a warrand : Subscriuit with oure hand at the day of and of oure reigne the xxxij zeir, 1598.

JAMES R.

120. PATENT by KING JAMES THE SIXTH, changing the title of ROBERT EARL OF MORTOUN into EARL OF NITHSDAILL. 29th August 1620.

JACOBUS Dei gratia, Magnae Britanniae, Francie, et Hiberniae Rex, etc., fideique defensor, Omuibus probis hominibus ad quos presentes literae pervenerint, Salutem. Sciatis, quandoquidem, ex nostra regia elementia, uobis placuit, vigesimo nono die mensis Octobris, Anno domini millesimo quingentesimo octuagesimo primo, quondam praedilectum nostrum consanguineum, et consiliarium, Joannem dominum Maxwell, patrem, praedilecti nostri consanguinei, Roberti, nunc domini Maxwell, comitem de Mortoun creare, ac considerantes restitutionem comitis de Mortoun Dowglas, in pristinam suam dignitatem, nullo modo praeiudicio esse dicto domino Maxwell, de illa dignitate dicto quondam suo patri per nos largita, vna alteram nullo modo impediende, ea ratione, quod dictus dominus Maxwell, suam dignitatem creatione et non crimine lese maiestatis obtinuit, nobis igitur ex nostra regia benignitate placet, eandem dignitatem a data dicte creationis, quam, dicto quondam praedilecto nostro consanguineo Joanni domino Maxwell, die annoque predictis, largiti sumus, pro nunc et imperpetuum, in praefatum praedilectum nostrum consanguineum, Robertum nunc dominum Maxwell, eius filium suosque heredes masculos, continuare : Et quum nobis semper

cure fuit, dissidia inter nostros subditos amovere, et in memoriam recolentes diuturnum odium inter familias de Mortoun et Maxwell habitum, nec etiam nobis in nostris regnis consuetum esse, duos comites vno eodemque titulo ornare, nos, igitur, ex autoritate nostra regali, illum titulum quem in dictum quondam dominum Maxwell, contulimus, nunc mutamus, in quantum titulum comitis de Mortoun, tantummodo gessit, sic quod vbi dictus quondam dominus Maxwell, dominus Joannes Maxwell de Meirnis, dominus Maxwell, Eskdaill et Cairleill et comes de Mortoun, designabatur, nunc decernimus et ordinamus quod titulus dicti predilecti nostri consanguinei Roberti nunc domini Maxwell, erit Robertus dominus Maxwell, dominus Eskdaill et Cairleill, ac comes de Nithisdaill, absque, tamen, preiudicio dicto domino Maxwell, nunc comiti de Nithisdaill, de antiquitate dignitatis dicto quondam suo patri concessit, quam, tenore presentium, in eum, suosque heredes masculos, vt dictum est, continuamus, et confirmamus, neque putabitur aut supponetur quod mutatio dicti tituli vllam novam creationem efficiat, sed e contrario dignitatem prius concessam, corroborabit, et confirmabit: volumus, etiam, et mandamus, quod datum creationis dicti domini Maxwell in comitem, a dicto vigesimo nono die mensis Octobris, anno domini millesimo quingentesimo octuagesimo primo, computabitur, et sic omni tempore affuturo durabit; hasque nostras literas in amplissima forma (si opus fuerit) publicari ordinamus. In cuius rei testimonium praesentibus magnum sigillum nostrum apponi precepimus, apud Fernehame, vigesimo nono die mensis Augusti, anno domini millesimo sexcentesimo vigesimo, regnorumque nostrorum annis quingentesimo quarto et decimo octavo.

Per signaturam manu Supremi domini nostri Regis suprascriptam. Ac manibus quorundam dominorum commissionariorum subscriptam.

121. FUNERAL CEREMONY of LADY ELIZABETH DOUGLAS, COUNTESS OF NITHSDALE.
20th March 1637.¹

THE funerall ceremony performed at the interring of the Countesse of Niddisdaill from St. Geills Church in Edinburgh to the Abbey Church of Holyrudehous, on Mononday, the Twentyeth day of March 1637.

First of all went tuo conductors for the poore, in mourning, with black staues.

The small Gumpheon.

Tuentie-fyve poore in gownis and hoodes, with staues, quheron were Lozinges of the defunct's armes and eiphers.

The horsse of stait, led by a grooume in the defunct's Liuary.

Seruants of the defuncts Ladey, 2 and 2, in mourning.

Gentlemen friends in mourning.

Esquyres 2 and 2.

Knight Batchleours 2 and 2.

Knights Barronetts.

Noblemen's sons in mourning.

Lords.

¹ She was the widow of John Earl of Mortoun, Lord Maxwell. After the restoration of the Mortoun title to the Douglas family, and when her son

was made Earl of Nithsdale, her Ladyship appears to have assumed the title of Countess of Nithsdale.

Viscounts.

Earls.

Marquess of Douglas.

A mourning horse led by a lackey in doole.

The grate Gumpheon, caried by James Maxwell.

The 8 branches of the defuncte Lady went ordred thus, first :—

1. The Armes of Douglas, Earls of Angus, caried by James Maxsuoll of Conhcathe.
2. The Armes of Drumond, Earle of Pearth, borne by Robert Maxsuoll of Cauens.
3. The Armes of the hous of Pittindreich, caried by Johne Maxsuoll of Holme.
4. The Armes of Innes, de eodem, caried by Johne Maxsuoll [of Kilbeane], tutor of Cornseurthe [? Carnsalloch].
5. The Armes of Hamilton, Marques Hamilton, caried by Johne Maxsuoll of Milnetoun.
6. The Armes of Lindesay, caried by Johne Maxsuoll of Couhill.
7. The Armes of Home, Earle of Home, caried by the Laird of Preston.
8. The Armes of Borthuick, Lord Borthuick, caried by Thomas Maxsuoll of —.

The grate Baner or coate of the defuncte, caried by a closse mourner, one of the kinred of the defuncte Lady, viz., by Francis Douglass, brother to my Lord Marques of Douglas.

Four trumpetts cosse, 2 and 2.

Two pursueuants.

Tuo Heralds.

The Coronett of the defuncte Ladey, borne one a black weluett cusheon, couered with cypres, by Alexander Maxsuoll, brother to the Lord Harries.

Lyone King of Armes, in hes coate of office, supported betuix tuo especiall of the defunct's frinds, viz., on hes right hand, Sr. James Maxsuoll of Calderwood, Knight and Baronnett, one hes left hand, Alexander Maxsuoll of Newwark.

The corpes, caried in a litter by four horssees, all in doole, wnder a fair pale of blacke weluet, adorned with lozings, ciphers, Gumpheons and tears, belonging to the defuncte.

After the corpes followed her sone, the Earle of Niddisdail, and after him the Countesse of Winton, as chieffe mourner, assisted by 6 Ladeys, closse mourners ; and after them the multitude.

SR. JA. BALFOUR, Lyone.¹

122. INSTRUCTIONS by ROBERT, FIRST EARL of NITHISDAILL for JAMES and JAMES MAXWELLS relative to the capitulation of the Castle of Carlaverock. 14th July 1640.

INSTRUCTIONS for James and James Maxwells to be spoke to the Ryght honorable the Earle of Queensbarie, uhoe haith the name of Colonell, and to the rest of the Cummanders which are at this siede of my hous of Carlauerock.

1. I think I am odlie delt with, a parley being batin by tham with a condition, to send Portrack and sum other gentilman toe delyuer a commission from the Lords of thare table, as they name thame, when it cummeth to the poynt na such man as Portract is to be sene, and withall in place of delyuering a commission from thare table, ane coppie of, I know uhat, is offered to mee. This seameth nocht to be fair dealing.

¹ Balfour's Heraldic Tracts, pp. 126-129.

2. I desyer first my seruands mey be delyured to mee uich they keep in prison. If they will nocht freely delyur tham, lett me know thare namis with what rait they put upon tham.

3. I desyer uhat euer motion be maid to me, it may be maid in wret syngned wnder the Colonel his hand, with sum other of his offisers. I sall doe the lyk soe as what passeth sal need na commenter.

4. Thoght I acknoledge na authoratie within this kingdome uich doeth not proseed from our Soueraing, yet sall I deall as befitteth a good subiect and a trew Scottish man, uha sall be reddie to manteen the honour both of our King and cuntrie, als much as any subiect, se far as my mean power mey reach.

NITHISDAILL.

Carlauerock Castle, July the 14th 1640.

123. INVENTORY of the HOUSEHOLD FURNITURE left in the Castle of Carlaue-rock when it was surrendered in September 1640.

A NOTE of such things as was left in the house of Cearlauroke at my lords departure in the yeare of God 1640.

Iemprimus [Imprimis], in the wine selcar 4 barells of seake.

Item, in the other seller 3 hogith of Frinch wine, and an iron crate.

Item, more 30 bowes of meale. Item, in the end of chichin, 2 barells of hearing.

Item, in the hich wardrop, i loketh tronke and 3 timber beds, and i iron window. Mare i iteller, i ould catell and i piks, and a meald.

Item, vp hich 4 coburds, and a crucifix. Mare in the waghous, a haighbut, and a crokpiece.

Item, in Creky camber a coburd. Mare, in my lord Maxwell camber 2 beads and a coburd, and a loked cist, and 1 vther cist in the outer rom, 2 tronkes and a bed and a great tow. Mare, in the musket camber a bed and a tronk, and be loe in the turpike a coburd. Mare, in the new wardrope 3 beds.

Item, in the master's camber a bed and a coburd. Mare in the damase bed camber, a bed and a coburd, and a targe of prufe and a fire cuell. Item, in the chichin a ciminy, a crate, and a peare of long raxes. In the new hale a leid and a maskin fatt, and a study, and a peare of belies.

Item, in the long hale 6 caises of windows with 22 pikes, 13 lansis, and 2 sakes of white.

Item, more in Sanders camber 4 beds. More in my Lords hale 2 burds and 6 turky stules.

Item, more in the round camber without my Lords camber, 5 feder beds, 7 bolsters, 4 cods, 5 peare of blankets, and 4 rugg, 6 pices of bukrame, with my Lords armes, and 2 panes, one of blake welueit, and another read, with blake friug, and a paineth brode, a coburd, 9 stules couereth with clote of siluer, and 2 great caires of siluer clote. More, a crine caniby bed. More, a sumter clote. More, 3 great and a litle crib and 4 stules, and a long cusin, all of blake and white stufe. More, 4 stules and 2 caires couerett with brune clote pasementet yealow. More, a great loke and a leauroke net. Mare, there is i great caire, 4 stules coueret read with blake pasment. Moir 22 curtine rods, a tronke loket full, and a 2 of virginalls. More, in the draing rume a brace of iron and canaby bed, with a feder bed and a bolster, and 3 tronke loket, a turky stule and a in rise worke stules and one ould caire with a cod nail'd on. Mare a frame of a caire. Item, in fyes house is 7 couers of Turky worke for stules and a coffer 2 cist, 15 camber potes, 5 potes for ease,

a morter and a pestell, a brasen potte, a brasin ladle, a bed pane, 4 wine sellers, a litle coper pote, and my lord and my ladys pictures. More, a cist with some clases, and 5 feder beds, 5 bolster, 3 carpet, 2 red window curtine. Mor, there is in the daning rume before my ladys camber, a burd and a faling bed, 2 Turfy stules, a blue caire, and the caise of the enoke. More, in my Lord's camber, there is a bed furnist of damase, and a cuburd lead our with gould lace. More, ther is 2 caires and 3 stules of damase, and a cuburd, and a carpet, and a caire coueret with brune clote, and a camber all hunge, a water pote, a tonges and belies, a enoke, 28 muskets, 28 bandelires, and to 2 handed sowards, and nin collar for dogges. More, in Conheat is [Conheath's] camber, a bed and coburd, and sum armore. More, in the coale house, 38 cades of iron.

This is the trew Inventorie of the goods leaft in Carlaurok, taken there be Arthure Makmachan and William Sleatt. There was on locked trunke in the high wardrop, wich was full of men's cloathes, and in that great trunk mentioned to be in the round chamber there was a great wrought bedd, a suit of cloathe of syluer chaires, and stooles to be made vp, and an imbrothered cannabie of gray satten to be mead vp too. As for the other trunks which ware leaft in the open rounes, it cannot be remembered in particular what was leaft into them, and that this is all treu we vnderwritten can witnes.

WILLIAM WOOD, witness.

WILLIAM MAXWELL, wittnes.

THOMAS MAXWELL, wittnes.

Dorso—Inventar of the furnisheing left in the hous of Carlaverok, when it was randered vp anno 1640.

124. INVENTORY of the HOUSEHOLD EFFECTS in the Castle of Carlaverock, intromitted with
by LIEUTENANT-COLONEL HOME. [1640.]

ANE noitt of the howssald stuff intromettit with be Lewtenant Colonell Home at Carlaverok :

Inprimis, he hes intromettit with fyve sutte of hingings, thair being eight peeces in ewerie sutte. The pryce of ewerie sutte, owerheid, estimat thriescoir punde Sterling. Inde . . . ij^m vj^c lb Scottis. Item, hes intromettit with fyve beddis, twa of silk, and thrie off clothe, ewerie bed consisting [off] fyve cowrtingis, thrie ovyer vallons, and ane long inner wallon, with massie silk fringes of half quarter deip, and ane counter point tester of the same stuff, all laid with braid silk lace, and a smal fringe abowt, with chairs and stoolis ansuerabillie, laid vith lace and fringe, with fether bed and bol[s]ter, blankettis and rugg, pillois, and bedsteid of timber ansuerabill. Ewerie bed estimatt, with the furnitour, to ane hundreth and ten pund Sterling. Inde . . . vj^m vj^c lb Scottis. Item, he hes intromettit with ten lesser beddis, quhairof fowr had clothe cortenis, and six with stuffe or sarge, everie bed furuichit vith cortenis, vallons, and tester, fether bed, bolster, rugge, blankettis and pillois, and bedsted of timber ansuerabill. Everie bed estimat to fyvetein pund Sterling owerheid. Inde . . . vj^c lb Scottis. Item, he hes intromettit with twentie vther bedis for servaudis, consisting of fether bed, bolster, rug, blankettis, and estimat to sevin pund Sterling a pece. Inde . . . j^m vj^c iiij^{xx} lib Scottis. Item, he hes intromettit with fowrtie carpettis, greitter and lesser, estimatt over heid to fow[r]tie scilling Sterling a pece. Inde . . . ix^c iiij^{xx} lib Scottis.

Item, he hes intromettit with the furnitour of ane drawing rowme of clothe of silver, consisting of ane cutche bed ane greit chayer, with futstull and custon, with six vther bakkett chayeris, and six stoolis, all garnichit with silk and silver fringe, estimatt to ane hundreth pund Sterling. Inde j^m ij^c lib Scottis.

Item, he hes intromettit with twa dusen of chayers and stoolis, coverrit with rid welvet, and garnischit with fringes of cramosie silk and gilt naillis, estimat to thriescoir pund Sterling. Inde vij^c xx lib.

Item, he hes intromettit with fyve dossen of Turkie vork chayeris and stoolis, everie chayer estimatt to fyvetein [scillingis] Sterling, and evrie stool to nyne scillingis Sterling. Inde, threttie sex pund Sterling. Inde iiij^c l lib.

Item, he hes intromettit with ane librare of bowkis, quhilk stood my lord to twa hundreth pund Sterling, of the quhilk. Inde iiij^c iiij^{xx} lib.

Item, he hes intromettit with twa greit tronkis full off Holland scheittis and pillobiers and dornik and damask tabil clothes, napkins, and towellis, to the number of fortie pair of scheittis, or thairby, and twentie stand of neprie, or thairby. Everie pair of schettis consisting of xvij ellis of clothe, at sax schilling Sterling the ell, amountis to fyve pund twa schilling Sterling the pair. Inde twai hundreth and fowr pund Sterling. Inde ij^m iiij^c xlvij lb.

Item, the stand of neprie consisting of ane tabiel clothe, twa dusseu of nepkins, ane lang towell, estimat to the stand. Inde.

Item, he hes intromettit with ane knok that standis vpon ane tabill, estimatt to xx lb. Sterling. Inde ij^c xl lib.

Item, he sufferit his foloweris to spoyl me ane cotche, with the furnitour, quhilk stood in fiftie pund Sterling. Inde vj^c lib.

Item, he intromettit with wther twa tronkis full of cowrse scheittis and neprie to the number of fortie pair or thairby of schettis with p[i]llobiers, and twentie stand of cowrs neprie, or thairby. The pair of schettis, with the furnitour, consisting of twelf ellis, att half-crown ane ell, amontis thretti schilling sterling the pair. Inde vij^c xx lb.

Item, the stand of neprie consisting of tabilclothe, twa dusen of nepkins, and ane towell, estimat to the stand. Inde.

Item, he intromettit with ane trunkfull of suddis of apparrell, quhairin ther was eight suddis off apparrell, or thairby, some of welvott, some of satin, and some of clothe. Everie sute consisting of ¹ breikis and klokis dowble with schag or velvott ¹

¹ estimatt to fyvetein pund Sterling the suit. Inde ij^m viij^c iiij^{xx} lib.

Dorso—Inventar of the plennisheing in Carlaverok. 1640.

¹ MS. torn or defaced.

ABSTRACT OF THE MAXWELL AND HERRIES CHARTERS.¹

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| 1. Charter by King William the Lion, granting to the Abbey of St. Mary of Cupar, and to the monks and friars serving God there, exemption from all toll, ferry and market dues, and all other customs throughout the granter's whole land, with free power to sell and buy, throughout his whole kingdom, all things needful for the maintenance and advantage of their house. The King in this charter enjoins that no one dare to molest or trouble the monks in the enjoyment of the privileges above mentioned, and charges his bailies, in the event of any property belonging to the abbey being stolen or detained by violence, or carried off by their own monks or converts without permission, to cause the same to be peaceably restored to them. He further grants to the monks and their people immunity from being distrained for any debt, unless the pursuers had previously failed to obtain justice in their own court. To this charter Liulph, the son of Maccus, is a witness. At Jedeworth [1165]. | 403 |
| 2. Charter by King William the Lion to William Giffard, son of Hugh Giffard, of Thelin (Tealing), with all its just pertinents, and Polgauethin, by its right marches by which Ferthnauh possessed that land : To be held by him and his heirs of the King and his heirs in feu and heritage, as freely, peaceably and honourably, as his other barons held their lands and feus of him, for rendering from the foresaid lands the service of one knight. At Munros (Moutrose), 1st September [1195-99]. <i>Lithographed</i> | 403 |
| 3. Charter by King Alexander the Second to William Cumin, of that whole land of Lenneth which King William (the Lion), his father, gave to him, with all the pertinents which belonged to it when King William had it in his own hand : To be held by the said William Cumin and his heirs, of the King and his heirs, in feu and heritage, in bush and plain, meadows and pastures, and all other just pertinents, for rendering the service of one knight, as the charter thereof made by King William to the foresaid William Cumin bears. To this charter John of Maccuswel is a witness. Dated at Edinburgh, 22d September [1215]. | 404 |
| 4. Charter by King Alexander the Second, to M., formerly Thein of Calentyr, of all that land which A., abbot of Melrose, Walter Olifard, justiciar of Lothian, and John of Maccuswel (Maxwell), chamberlain, and others, gave to the said M., in terms of the King's precept, in excambion for the whole lauds which belonged to Edgar, the son of Donald, and Affrica his daughter, in Nithsdale, and for the renunciation of all claim and right which he, the said M., and his heirs had, or could have, in the foresaid land, and likewise of all right which they had or could have in the laud of Calentyr : To be held by the said M. and his heirs, of the King and his heirs, in feu and heritage, by the same marches by which the foresaid lands were given to him, in terms of the King's precept, for rendering the service of one knight. This charter bears that the said M., Thein, delivered to the King all the charters which he and his ancestors had of the foresaid lauds. Dated at Scone, 30th June [1233]. <i>Lithographed</i> | 404 |

¹ All the Charters are in the custody of Lord Herries, unless where a separate custody is stated.

5. Charter by King Alexander the Second, to Anselm of Camelyne of his (the King's) land of Innerlunane, in excambion for the land of Bridburgh in Nithsdale, which he had formerly granted to the said Anselm for his homage and service : To be held by the said Anselm and his heirs, of the King and his heirs, by the right marches by which Gilbert Long, the King's farmer, previously held it (saving the King's alms, and reserving to Mary, who was wife of the deceased Niel of Ymire, during her lifetime, that portion of the land of Innerlunane which she held in name of dower), for rendering the half of the service of one knight, and the service in the Scottish army pertaining to that extent of land, and for paying to the King yearly, as long as the said Mary held the said dower-land, £10 sterling, and after her death £12 every year, at Whitsunday and Martinmas, by equal portions. Dated at Forfar, 7th July [1247]. 405

6. Charter of Confirmation by King Alexander the Third, of the gift which Maldouen Earl of Leuenax granted to Malcolm the son of Duncan and Eva, the said Earl's sister, of the lands of Glaskhel, Brengoenis, and a carcate and a half of the land of Kelnasydhe, with the gift of the church of Moniabroed (Kilsyth) : To be held by the said Malcolm and Eva, and their heirs, of the foresaid Earl and his heirs, in feu and heritage, with all the pertinents belonging to the said lands and church, as freely as the said Earl's charter granted to them bears, saving the King's service. Dated at Roxburgh, 30th April [1251]. *Lithographed* 405

7. Letter of Resignation by John of Pencateland, in favour of Herbert of Mackeswelle (Maxwell), and his heirs or his assignees, and their heirs for ever, of all right which he had or could have in the land of Pencatelande, on the west side of the water of Tyne, with the garden, and the Horseparrokys, and Enylstrother, and the Coteyarde, and the Vivary ; excepting, however, the bush of the suth syde, and the bush which Sir Alan of Ormestoun held of the said John, during his lifetime, which was to revert to the granter and his heirs after Sir Alan's death ; excepting also the Ruthirkroc, for which the said John and his heirs were bound to pay to the said Herbert of Mackeswelle, and his heirs or his assignees, and their heirs, a pound of cumin yearly, in name of farm-duty, and excepting eight shillings of the ward of the castle, which was to be paid to the said John and his heirs yearly. The granter resigned also in favour of the said Herbert and his foresaids all right which he had to the patronage of the church of Pencatelande, with its pertinents, and became bound, for himself and his heirs, not to object to any one presented by the graantee and his foresaids to the said church on any ground whatever. This resignation was made in presence of Hugh of Berkeley, justiciar of Lothian, in a full court at the castle of Edinburgh, on Monday next after the Ascension of our Lord [18th May 1276]. *Lithographed* 406

8. Extract from the records of the Abbey of Holmcoltran, relative to the visitation or perambulation by Sir Robert, abbot of Holm, and Sir Thomas, son of Sir Gilbert of Culwenn, and others therein mentioned, of the marches between the land of the Grange of Kircwinnin and the land of Culwenn, when, with consent of the said abbot and Sir Thomas, the marches between the said lauds were declared to be the rivnlet falling into the water of Suthayk, between Larghenachan and Locaneur, ascending to the Bathepoc, and so along a sike as far as Bracanhirst, then southward as far as the Stanrayse, etc. etc. Done on the eve of St. Peter the Apostle in Cathedra (17th Jannary) 1289. 407

9. Charter by Simon, bishop of Galloway, with consent of his chapter, granting to the abbot and convent of Sweetheart, of the Cistercian order, in the diocese of Glasgow, and their successors for ever, on account of the well-known poverty of the said abbey, the parish church of Crossmichael, the patronage of which belonged to them by gift of the Lady Dervorgulla, daughter of Sir Alan, sometime lord of Galloway, to enable them to relieve and support the poor travellers and guests who daily flocked to the abbey ; and providing that, when a vacancy in the vicarage of the said church occurred, the abbot and convent should present to the granter and his successors a suit-

- able person to whom the cure of souls should be committed, for whose maintenance they should pay in the church of Crossmichael 10 merks sterling, yearly, at Michaelmas and Easter, by equal portions, etc. etc. Dated at the manor place of Kyrerist, on the day of St. Matthew the Apostle, (21st September) 1331. 407
10. Charter by John of Maxwell, son of the deceased Sir John of Maxwell of Pencateland, knight, to the church of St. Mary of Dryburgh, and the abbot and canons serving God there, for ever, of the right of patronage of the church of Pencateland : To be held in free, pure, and perpetual alms, with the chapel of Payston, by them and their successors, for the welfare of the souls of the granter and his wife, and of his father and mother, and all his ancestors and successors, with the church land of the same and of the said chapel, and ten acres of land near the Sowthsyde in augumentation of the church land, with all other easements and freedoms that at any time belonged to the said church and chapel, as freely as any patron in Scotland could grant a right of patronage to any church or religious body. [*Circa* 1343]. [*Original Charter in the possession of the Earl of Lauderdale*]. 408
11. Charter by John of Maxwell, knight, Lord of Carloverock, to Alexander Mateland, for his good counsel and assistance rendered to the granter, of all that part of his land of Pencateland, in the shire of Edinburgh, which Alice of Pencateland, daughter and heiress of the deceased John of Pencateland, voluntarily resigned into the granter's hands : To be held by the said Alexander and his heirs and assignees of the said John of Maxwell, knight, and his heirs and assignees, heritably, for payment yearly of a penny of silver, at Whitsunday, at the said land of Pencateland, in name of bleuch-farm, if asked. [*Circa* 1343]. [*Original Charter, ibid.*] 409
12. Charter by John of Maxwell, knight, son of the deceased Sir John of Maxwell, and heir of Eustace of Maxwell, his brother, to the abbey of Dryburgh, of the right of patronage of the church of Pencateland, with the chapel of Payston and church land thereof, for the welfare of the souls of himself and his wife, his parents, ancestors, and successors. [*Circa* 1340]. 410
13. Charter by William, prior of St. Andrews, and the chapter thereof, confirming the grant made by William of Landall, bishop of St. Andrews, to the church of St. Mary of Dryburgh, of the parish church of Peucailand, with the chapel of Payston, the right of patronage of which had been granted to the said abbot and convent by John of Maxwell of Pencateland, and Sir John Maxwell, knight, Lord of Maxwell. Dated Friday after the day of St. Vincent the Martyr, (13th June) 1343. 410
14. Charter by King David the Second (upon the resignation of Thomas Earl of Marr) to John Herries, knight, and Margaret, his spouse, and the survivor of them, and their heirs and assignees, of the whole barony and lands of Terregles, in the shire of Dumfries : To be held by the said John and Margaret, and their foresaids, of the King and his heirs, in feu and heritage for ever, as freely as any one of his barons of the realm of Scotland held his land or barony, saving the King's service, used and wont. Dated at Edinburgh, 15th March [1357]. 410
15. Charter by King David the Second, confirming a charter by Patrick of Dunbar, Earl of March and of Murray, to John of Hepburne, for his good and faithful services rendered and to be rendered to the Earl, of the lands and tenements of Over Merkyll and Nether Merkyll : To be held by the said John, and the lawful heirs of his body, of the granter and his heirs, with all services of free tenants, and fishings in the Lyn and the water of Tyne, and other waters ; whom failing, the said lands and tenements to revert to Patrick of Hepburne, his brother, lord of Halys, and the heirs of his body, and to remain in feu and heritage for ever, for rendering yearly to the said Earl and his heirs a pair of gilt spurs, or five shillings of silver, in name of blench-

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| farm, at Over Merkyll, on the feast of the Nativity of the Virgin Mary, if asked. The confirmation is dated at Edinburgh, 1st July [1362]. | 411 |
| 16. Extract Charter by King David the Second, to John Herries, knight, of the whole barony of Terregles, in the shire of Dnmfries, which belonged to Thomas Earl of Mar, and had been resigned by him into the King's hands : To be held by the said John and his heirs and assignees of the King and his heirs, in feu and heritage for ever, as an entire and free barony, with the patronages of churches and other pertinents thereof : The charter provides that the said barony shall be free from "sorrbyn," that none shall pass through it but the King's serjands, with plunderers, or with the head of a plunderer, and that if they were not able to get beyond the boundaries of the barony before sunset, they should have hospitality for that night, the people of the barony being bound to receive the plunderer, or his head, from the serjands, to keep for that night, and to deliver the same to the serjands on the morrow at sunrise : It provided also that none of the King's serjands or coroners should discharge his office within the said barony, unless he first went to the chymmys [principal residence] of the lord of the barony, and there present his arrestments to the baron bailie, etc. It further provides that the people of the barony should answer to the King's army, but should not answer any carriage except the King's, and this by crossing through the barony to its marches ; and that one penny should be paid for each horse, and the same for four lances ; the said John and his heirs rendering to the granter and his heirs the service used and wont. Dated at Edinburgh, 17th October [1364]. | 412 |
| 17. Charter by King David the Second, of his special favour, to John Herries, knight, and the lawful heirs-male of his body, of all and sundry the lands of the barony of Terregles, in the shire of Dnmfries, with the pertinents, in pure, free, and entire regality, with courts of life and limbs, and all others belonging to a free regality, as freely as any regality in the King's whole realm was possessed, and forbidding any one to molest the said John or his heirs, or the people dwelling on the said lands, in opposition to the said grant. Dated at Edinburgh, 6th June [1366]. | 414 |
| 18. Official Extract under the hand of Gavin Dnnbar, Clerk-Register, of a charter by King David the Second, to John Herries, knight, of all and sundry the lands of Kirkgunnane, with the pertinents, which belonged to the abbot and convent of Holme, in the shire of Dumfries : To be held by the said John and his heirs in feu and heritage, with annual rents, arrears thereof, and the salt duties, until the agreement between Scotland and England should be renewed. The charter authorized the said knight to agree with the said abbot and convent respecting their right to the said lands ; which agreement the King engaged to ratify, saving his own service. Dated at Dunfermline, 7th June [1367]. | 414 |
| 19. Notarial Transmpt, dated 2d November 1506, of an official extract under the hand of Gavin Dnnbar, Clerk-Register, dated 9th November 1503, of a charter by King David the Second, to John Herries, knight, of the lands of Atburry, with the pertinents, together with an annual rent of twenty merks from the lands of Skeok, in the shire of Stirling : To be held by the said John and his heirs, of the King and his heirs, in feu and heritage, for rendering yearly at Whitsunday a pair of gilt spurs, in name of blench-farm. Dated at Edinburgh, 14th March [1368]. ... | 415 |
| 20. Charter by Robert of Maxwell, knight, Lord of Carlaverock, from motives of charity, and for the welfare of the souls of himself and of Sir Herbert of Maxwell, his son and heir, and of all his ancestors and successors, and all the faithful dead, to the abbey of Dryburgh, and to the canons serving God there for ever, of all that land, with its pertinents, lying in the town and territory of Wester Peneaitland, within the constabulary of Haddington, which John Mautalent | |

(Maitland), Lord of Thirlstane, held of him, and had resigned into his hands : To be held by the foresaid abbey and canons in pure and perpetual alms, for ever, as freely as the foresaid John or his ancestors held the same, for paying therefrom yearly to the granter and his heirs a penny of silver at Whitsunday, in name of blench-farm, on the ground of the land, if asked. [*Circa* A.D. 1400].

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21. Charter by Archibald, fourth Earl of Douglas, Lord of Galloway and of Dunbar, afterwards Duke of Touraine, narrating that he had examined a charter by Lady Dernorgilla of Galloway, to the abbot and convent of Sweet Heart, of the patronage of the church of Kyrreum, and that therefore, for the welfare of the souls of Archibald Earl of Douglas and Lord Galloway, his progenitor, and of himself and Margaret his spouse, and of all his predecessors and successors, he granted to God, and the blessed Virgin Mary, and all the saints, and to the abbot and convent of the said monastery of Sweet Heart, the church of Kyrreum, in the lordship of Galloway : To be held by the said abbot and convent for the time being, in pure and perpetual alms, with all liberties and easements belonging thereto, as freely as any similar alms is granted to any monastery in Scotland. Dated at Lincludane [*circa* 1401].
22. Bond by Archibald Earl of Douglas, Lord of Galloway, for himself and his heirs, whereby he became bound to pay to Sir Herbert of Maxwell, knight, son and heir of Sir Robert Maxwell, Lord of Carlaverock, and his heirs, forty merks usual money of Scotland, at Whitsunday and Martinmas, by equal portions, until the granter or his heirs should infeft the said Sir Herbert and his heirs or their assignees heritably in twenty pounds' worth of land in Clydesdale, Nithsdale or Galloway, with clause of warrandice ; and which infeftment he promised should be made within two years. The granter also bound himself to defend the said Sir Herbert in all his causes. 1407.
23. Charter by Robert Duke of Albany, Regent of Scotland, dated 23d November 1414, confirming letters of wadset by John Stewart of Dalswintoun, of the lands of Carnsalach, Malcolmeholme, and Peryshede, with all the granter's holms on either side of the water of Nith, and the Heefields, bounded as therein described, to Sir Herbert of Maxwell, knight, son and heir of Sir Robert of Maxwell, Lord of Carlaverock, under reversion for four hundred merks, due by the granter to Sir Herbert for the marriage of Katharine his daughter : To be held, with all the profits and rents thereof, by the said Sir Herbert, his heirs or assignees, till the said John or his heirs should pay to them the said four hundred merks in the kirk of St. Mary of Carlaverock ; and the said Sir Herbert to have a seven years' tack of the said lands after the payment of the said four hundred merks. The wadset is dated at Dalswintoun, 10th August 1386.
24. Charter of Confirmation by George of Dunbar, Earl of March, of a charter by John of Crechtoun, knight, lord of that ilk, to his brother, Humphrey of Crechtoun, for his homage and service, of the lands of Bagthrop, the Byres, Scheipcotleys, and Wynterhop, with the pertinents, in the teuement of Carrotheris in Annandale : To be held of the granter and his heirs, lords of Carrotheris, by the said Humphrey of Crechtoun, in feu and heritage for ever, with the privilege of grinding their grain at the mill of Carrotheris after the granter and his heirs, for one firloft per chaldre, for rendering yearly to the lords of Carrotheris three suits of court at the three head courts yearly to be held there, and ward and relief when they occurred. The confirmation is dated [1416].
25. Charter by Archibald Earl of Douglas, Lord of Galloway and Annandale, to Herbert of Maxwell, lord of Carlaverock, of all and sundry his lands of Grenau, with the pertinents, in the lordship of Galloway, constabulary of Kirkeudbright, and shire of Dumfries, which belonged to the said Herbert, and had been resigned by him into the hands of the Earl : To be held by the

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- said Herbert, his heirs and assignees whomsoever, of the granter and his heirs, in feu and heritage for ever, for payment yearly of a penny of silver at the chief message of the said lands, at Whitsunday, in name of blench-farm, if asked. Dated at Lochmaben, 18th December 1419. 420
26. Charter by Murdoch Duke of Albany, Regent of Scotland, to Herbert of Maxwell of Carlaverock, of the lands of Garnsallach and Dursquen, with the mill thereof, in the barony of Dalswinton and shire of Dumfries, which belonged to Mary Steuart of Dalswinton heritably, and which had been resigned by her procurators in her pure widowhood into the Regent's hands : To be held by the said Herbert of Maxwell and his heirs, of the King and his heirs, in feu and heritage for ever, for payment yearly of a penny of silver in the church of Kirkmahoe, on the feast of St. Quintin, in name of blench-farm, if asked. Dated at Edinburgh, 28th October 1420. 421
27. Notarial Transumpt, dated 23d June 1458, of a charter by King James the First, dated 4th May 1426, confirming the immediately preceding charter by Murdoch Duke of Albany, Regent of Scotland, to Herbert of Maxwell of Carlaverock, knight, of the lands of Garnsalloch and Dursquen, with the mill thereof. Dated 28th October 1420. 422
28. Retour of the service before Sir John of Montgomery, bailie of Kilbride, of Herbert of Maxwell, as heir of his father, Herbert of Maxwell, Lord of Carlavrock, in the lands of Mekill Drippis, with the pertinents, in the barony of Kilbride and shire of Lanark, which were then valued at twenty merks yearly, and the same in time of peace, and were held in chief of the lord of Kilbride by foreign service, and were then in the hands of the superior by recognition, on account of the death of the said Sir Herbert. Done at Kilbride, 16th October 1421. *Lithographed*... 423
29. Precept by James Stewart, Lord of Kilbride, to Sir John of Montgomery, Lord of Ardrossan, bailie of the barony of Kilbride, for infefting Herbert of Maxwell, son and heir of Sir Herbert of Maxwell, Lord of Carlaveroek, or his attorney, in the lands of Mekill Drippis. Dated at Lanark, 20th October 1421. 423
30. Instrument of Sasine, proceeding on a precept from Chaneery, in favour of Herbert of Maxwell, Lord of Carlaverock, of the lands of Garnsallauch and Dursquen, in the shire of Dumfries. Done 18th November 1421. 423
31. Notarial Instrument, narrating that Herbert of Maxwell, Lord of Carlaverock, compeared in a general council held at Stirling on 29th July 1422, and requested that his lands of Nether Drippis, which had been recognised by the Regent, should be impleged ; and that, on William of Maxwell, tutor of the heir of the deceased Sir Robert of Maxwell, Lord of Calderwood, showing before the Regent and his council that he acknowledged the said Herbert as his lord superior of the said lands, the Regent, in accordance with the deliverance of the council, granted his request ; upon which the said Herbert craved instruments. Done in the general council, in the mausion-house of the vicar of Stirling, 29th July 1422..... 424
32. Charter by Thomas Somerville, Lord of Carnwyth, to Robert of Maxwell, son of Herbert of Maxwell, Lord of Carlaverock, and to Janet, daughter of Sir John Forstar, knight, Lord of Corstorphine, of the lands of Liberton, with the pertinents, in the barony of Carnwyth and shire of Lanark, which belonged to the said Sir Herbert, and had been resigned by him into the granter's hands : To be held by the said Robert and Janet, and the survivor of them, and the lawful heirs-male of their bodies ; whom failing, by the said Sir Herbert and the lawful heirs-male of his body ; whom failing, to Amer of Maxwell, brother of the said Herbert, and the lawful heirs of his body ; whom all failing, to the nearest lawful heirs of the said Sir Herbert whomsoever, of the said Thomas Somerville or his heirs, in feu and heritage for ever, as freely as the said

Herbert or his predecessors held the lands before the said resignation : And in the event of the said Robert dying before the completion of his marriage with the said Janet, the said lauds to revert to Sir Herbert and his heirs foresaid, but to remain with the said John Forstar and his heirs until a sum of money contained in an indenture between Sir John and Sir Herbert should be paid : The said Robert and Janet and their heirs rendering to the granter and his heirs the service used and wont. Dated at Edinburgh, 13th January 1424.

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33. Confirmation by Pope Benedict the Thirteenth, of (1.) a charter by Thomas Bishop of Galloway, granting, from motives of piety and for the sake of pure alms, with express consent of the chapter of Galloway and clergy thereof, to the abbey and convent of Sweet Heart, and their successors for ever, on account of their pressing necessity and known poverty and smallness of income, and the demolition of that monastery by lightning, and its being situated on the borders of Scotland and England, where great depredations were frequently perpetrated, the parish church of St. Colmanel of Butyll, in the granter's diocese, which was free and vacant through the death of Sir Donald Macindole, last rector thereof, the patronage whereof belonged to the grantees by gift of William Earl of Douglas and of Marr, through the influence of Sir Archibald of Douglas, Lord of Galloway, founder and reformer of that monastery, the said bishop granting to the abbot and convent canonical institution in the said church of Butyll, and ordaining that they, when a vacancy occurred in the vicarage of the church, should present to the granters and their successors a suitable person to perform divine worship and have the cure of souls, and that the vicar should receive yearly from the abbot and convent, in his church of Butyll, ten merks sterling for his support, and that he should have in addition the land belonging to the church, with the half of the meadow grazing and pasture ; the other half, with the garden and the ancient manor of the rector, to remain with the abbot and convent. Done in the choir of the parish church of Kyrmist, 16th July 1381 ; and (2.) a charter by Archibald Earl of Douglas, Lord of Galloway and of the barony of Butyll, granting to God and the blessed Virgin Mary, and all saints, and to the abbey and convent of Sweet Heart, serving God there, for ever, for the welfare of the souls of himself and Joan his spouse, and his parents, and all faithful Christians, the advowson of the church of St. Colmanell of Butyll, in the diocese of Galloway, and the whole right of patronage thereof : To be held by the said abbot and convent, for the time being, of the granter and his heirs, in pure and perpetual alms, with all freedoms and easements belonging thereto, as freely as any right of patronage of a church in the realm of Scotland. Dated 23d August 1397. The Pope's confirmation threatens with the wrath of God, and of St. Peter and St. Paul his Apostles, any one who should attempt to infringe or rashly contravene the same, and is dated at Pont de Sorgues, in the diocese of Avignon, 3d of the ides of January, in the fourth year of his pontificate. [11th January 1397].
34. Charter by George of Dunbar, Earl of March, to his son Archibald of Dunbar, of the lands of Wester Spot with the pertinents, in the regality of Dunbar : To be held by the said Archibald and his heirs whomsoever, of the granter and his heirs in feu and heritage for ever, for rendering yearly to them a red rose, at the feast of the nativity of St. John the Baptist, upon the ground of the said lands, in name of blench farm, if asked. Dated at Dunbar, 8th March 1425.
35. Instrument, narrating that Sir Herbert of Maxwell, knight, Lord of Carlawerock, accompanied by Lord James of Douglas and others, on the one part, and John the Sanecler, lord of Herdmanstoun, tenant of part of Sir Herbert's lands of Pencaitland, accompanied by Sir Adam of Hepburn, lord of Halys, and others, compeared in the Tolbooth of Edinburgh, concerning the conditions of an indenture made at Edinburgh, 19th January 1427, between the said Sir Herbert and John, by which indenture Sir Herbert bound himself to refer to the decision of an assize the question as to whether the Maxwell land and Bekyrtounland in Pencaitland ought to be held of the lords

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- of Maxwell as barons of Pencaitland, or whether they were held at any time of the said lords by other tenants than the predecessors of Dame Margaret Sinclair. The iudenture having been read and an assize chosen, with consent of parties, they delivered their verdict by Robert the Grahame, one of their number, which was to the effect that Sir Herbert of Maxwell had more right to the forementioned lands than the said John Sinclair, saving as much of Bekyrtounland as was held of the temple of St. John. Done in the Tolbooth of Edinburgh, 2d June 1428 ... 429
36. Letters of Remnnciation by Elizabeth of Craufurde of Duchra and Lady of Kirkpatrick, whereby she resigned into the hands of King James the Second her lands of Kirkpatrick, with the pertinents, in the shire of Dumfries, and all right which she or her heirs possessed in the said lauds, for ever. Dated at Duchra, 30th April 1433..... 430
37. Charter by John Herries, Lord of Terregles, to his uncle, Robert Herries, for his service, rendered and to be rendered to the granter, of all his lands of Myrton, in the shire of Wigton, except one merk's worth of the lands on which the principal messuage was situated : To be held by the said Robert, his heirs and assignees, of the granter and his heirs and assignees, in feu and heritage for ever, for rendering yearly the service used and wont. Dated at Terregles, 6th July 1444. 430
38. Notarial Instrument, narrating that William, abbot of Sweetheart, for himself and his convent, on the one part, and Amer of Maxwell, lord of Kirkconnel, on the other part, being lawfully cited, compeared in judgment for the declaration of a certaiu brieve of perambulation of the marches of the lands of Lesser Arde and others, belonging to the said monastery on the one part, and the marches of the lands of Greater Arde and the lands of Kirkconnell, belonging to Amer of Maxwell, on the other part, before the justiciar of Annandale ; and that the said justiciar having chosen an assize, with consent of parties, they, after mature deliberation, fixed the boundaries of the lands as therein particularly described. Dated 11th July 1448. 431
39. Retour of the Service before the Sheriff-Depute of Dumfries, of Robert of Maxwell, as heir of his father, Herbert Lord the Maxwell, of the lands of the barony of Carlavrock, the lands of Garnsalloch and Dursquhen, and the lands of Spruigkell, with the pertuents, and of the superiority of 100 shillings worth of lands in the territory of Dumfries and shire thereof ; which lands of Carlavrock were then and in time of peace valued at 80 merks, the lands of Garusalach and Dursquhen then and in time of peace valued at £15, and the lands of Springkell were then and in time of peace valued at 23 merks, and the superiority of the said 100 shilling lands was then and also in time of peace valued at 100 shillings, and were all held in chief of the King in blench-farm, for payments therein specified. Done at Dumfries, 14th February 1453. 432
40. Charter by George Earl of Caithuess, Admiral of Scotland, and lord of the barony of Tybberis, granting to his daughter, Janet of Crechtoun, on account of the marriage to be contracted between her and John of Maxwell, son and apparent heir of Robert Lord Maxwell, the entire barony of Tybberis and princiupal messuage thereof, in the shire of Dumfries : To be held by her and the lawful heirs of her body, from the granter and his heirs and assignees whomsoever, in pure, free, and entire regality for ever, for rendering yearly to the King a red rose, at the feast of the Nativity of St. Johu the Baptist, in name of blench farm, if asked. This charter provides that, in the event of the said Janet dying without lawful heirs of her body, the said barony and others shall revert to the granter and his assignees whomsoever. Dated at Edinburgh, 29th March 1454. 433
41. Sasine given *propriis manibus* by the serjand of the Sheriff of Dumfries to Margaret Mynduele, spouse of Edward of Maxwell, of the fourth part of the lands of Tynwald. The sasine was given at the chief messuage called the Mote, near the church of Tynwald, 8th May 1455. 434

42. Charter by King James the Second, under the great seal, to Amer of Maxwell and Janet of Kirkconnell, his spouse, of the lands of Kirkconnell, with the pertinents, in the lordship of Galloway and stewartry of Kirkcudbright, which lands belonged to the said Amer and Janet heritably, and had been resigned by them into the King's hands : To be held by the said Amer and Janet and the survivor of them, and the lawful heirs of their bodies ; whom failing, by the nearest lawful heirs of the said Janet whomsoever, of the King and his successors in feu and heritage for ever, for rendering the services used and wont. Dated at Dumfries, 20th March 1456..... 434
43. Notarial Instrument, narrating that Amer of Maxwell of Kirkconnell, superior of the lands of Kelton, proceeded, in presence of a notary and witnesses, to a forty-shillings' worth of land in the lordship of Keltown, and shire of Dumfries, and there gave sasine of the same to George Nelsoun of Madinapap, by delivery to him of earth and stone thereof : To be held by the said George and his heirs, of the said Amer and his heirs, in feu and heritage for ever, by ward and relief, as freely as John of Maxwell, son and apparent heir of Robert Lord Maxwell, possessed the said lands in times past. Dated 13th November 1461..... 435
44. Lease by William, abbot of Sweetheart, in favour of Robert Lord Maxwell and his assignees, of forty shillings' worth of the land of Kirkpatrick, called Colschangane, in the stewartry of Kirkcudbright and lordship of Galloway, for payment yearly of forty shillings usual money of Scotland. Dated at Carlawerock, 31st May 1474..... 436
45. Notarial Instrument, narrating that Herbert Maxwell, bailie of the barony of Maxwell, in presence of a notary and witnesses, confirmed a court of the said barony, and then, in name and on behalf of Lord Maxwell, resumed all and sundry the lands of the said barony into the hands of the said lord, as from Whitsunday next following, and made public premonition that whoever held any lands in any part of the foresaid barony in assedation, should be entirely deprived of them after Whitsunday, unless they took a new lease thereof from the said superior. Dated 14th May 1476. 436
46. Notarial Instrument, narrating that Robert, second Lord Maxwell, in presence of a notary and witnesses, inquired of Dame Janet Forstar, his spouse, if she would be contented, after his decease, with the third part of his lands of the Mernys, which the deceased Katherine Setoune, Lady of Darnley and Maxwell enjoyed, namely, the lands of Newtoun, Malishench, Southfield, and others therein mentioned ; and upon the said Janet replying in the affirmative, the said Robert Lord Maxwell, with consent of John Maxwell, his son and apparent heir, then present, freely assigned to her the said lands as her terce of the lands of the Mernys. Thereafter he inquired of the said Janet whether she would be contented, after his decease, with the same terce which the said Katherine Seyton enjoyed of the lands of Carlawerock ; and she having answered in the affirmative, Lord Maxwell, with consent foresaid, assigned the same to the said Janet : Which terce lands the said John Maxwell approved, and bound himself, in the strictest form of obligation, to defend the said Janet, his mother, therein during her lifetime. Done at Edinburgh, 7th February 1477. 437
47. Instrument of Resignation by Robert Lord Maxwell, into the hands of King James the Third, of all and sundry the lands of his barony of Maxwell, with the pertinents, in the shire of Roxburgh, and likewise the lands of the barony of the Carlawerock, with the pertinents, in the shire of Dumfries, and his lands of the Mernys, with the pertinents, in the shire of Renfrew : Which resignation having been made, the King, by exhibition of staff and baton, gave possession of the lands of the said baronies of Maxwell and Carlawerock, and of the lands of the Mernys, to John Maxwell, son and apparent heir of the said Robert Lord Maxwell, under reservation of the frank tenement of the barony of Carlawerock and lands of the Mernys, to Robert Lord Maxwell for his lifetime, and a reasonable terce to Janet, his spouse, after his decease. Done in the King's chapel, within the Abbey of Holyrood, 10th February 1477. 438

48. Charter by King James the Third, under the great seal, to John Maxwell, eldest son of Robert, second Lord Maxwell, of the lands of the barony of Maxwell, with the pertinents, in the shire of Roxburgh; the lands of the barony of Carlawerock, with the pertinents, in the shire of Dumfries; and the lands of Mernys, with the pertinents, in the shire of Renfrew; which lands and baronies belonged to the said Robert heritably, and were resigned by him into the King's hands, at Edinburgh: To be held by the foresaid John and his heirs, of the King and his successors, in feu and heritage for ever, as freely as the said Robert held them before the said resignation, for rendering yearly the services used and wont; reserving, however, the frank teucment of the barony of Carlawerock and lands of Mernys, to Lord Maxwell for his lifetime, and a reasonable terce thereof to Janet, his spouse, after his decease. Dated at Edinburgh, 14th February 1477..... 439
49. Notarial Instrument on an agreement by the procurators of John Maxwell, steward of Annandale, on the one part, and Sir Robert Hamilton of Fingaltoun, knight, attorney of James Lord Hamilton, on the other part, to the effect that the briefs presented by the said James Lord Hamilton to the sheriff of Renfrew should be proclaimed to be served in the Tolbooth of Edinburgh before the same sheriff, with his ministers of court, and by an inquest of the same shire, on the 9th day of May following. Done in Lord Lyle's chamber, in the burgh of Edinburgh, 25th March 1482. 440
50. Instrument of Sasine, proceeding upon a precept, dated 26th January 1483, by Robert Boyd of Arneill to Andrew Agnew, sheriff of Wigton, Herbert Maxwell and Raukin Mure, his bailies, in favour of Edward Maxwell of Tinwald, of the fourth part of the lands and barony of Murethe, with the pertinents, in the barony of Murethe and shire of Wigton. Done at Ballingreg, the chief messuage of the said barony, 31st January 1483. 440
51. Instrument of Sasine, proceeding on a precept under the King's seal directed to the sheriff of Dumfries, in favour of Sir David Herries of Avendale, knight, of the barony of Terregles: Which sasine was given at the manor-place of Terregles to Robert Herries of Kirkpatrick-Irongray, attorney of the said Sir David. Dated 7th December 1484 441
52. Notarial Instrument, narrating that Robert Lord Maxwell, in presence of a notary and witnesses, on having received from Donald M'Lynne, the King's messenger, a writing under the privy seal, for security to be taken by the messenger between the said Lord Maxwell and John Maxwell Stewart of Annandale, his apparent heir, and others, on the one part, and Cuthbert Murray of Cokpule and Sir Adam Murray, his brother, and others, on the other part, took exception to the messenger's letters, on the ground that while they directed surety to be taken of his lordship that the said Cuthbert, Sir Adam, and others should be scaitbless at the hands of him and his friends till midsummer following, they did not direct similar security to be taken of the said Cuthbert and Sir Adam for Lord Maxwell and his friends. His Lordship, however, offered to give the security required by the King's letters, on receiving similar security in return, and directed the messenger to announce the same to the said Cuthbert. Done at the Castle of Carlawerock, 22d April 1485. 442
53. Retour of the Service, before the sheriff of Roxburgh, of John Lord Maxwell, as heir of the deceased John Lord Maxwell, his father, of the £40 lands of the barony of Maxwell, with the pertinents in the shire of Roxburgh, which were then valued at £20 Scots yearly, and in time of peace at £40 Scots, and were held in chief of the King by blench-farm, for rendering yearly a rose at the feast of the Nativity of St. John the Baptist, if asked, and were then in the King's hands, through the death of John Lord Maxwell, and through the death of Robert Lord Maxwell, grandfather of the said John. Done at Jedburgh, 29th April 1486..... 443
54. Charter by King James the Third, under the great seal, to Herbert Herries, son and apparent

- heir of David Herries of Terregles, knight, of the lands and baronies of Terregles, Kirkgunzeon, and half of the barony of Urr, in the stewartry of Kirkcudbright and shire of Dumfries; and also the lands of Moffatdale and Avindale, Tundergarth, Lockerbie, and Hoddam, in the stewartry of Annandale, and the lands of Barnwele, in the shire of Ayr; the lands of Fee and Rowle, in the shire of Roxburgh; the lands and annual rents of Myretoun, in the shire of Stirling; and all annual rents whatsoever, belonging to the said David in the shire of Stirling; which lauds, baronies, and annual rents belonged to the said David heritably, and were resigned by his procurators into the King's hands at Edinburgh: To be held by the said Herbert and his heirs, of the King and his successors, in feu and heritage for ever, for rendering yearly the rights and services used and wont. Dated at Edinburgh, 3d May 1486. 444
55. Instrument of Sasine, in terms of a precept under the quarter seal of King James the Third, in favour of Andrew Herries, son and apparent heir of Herbert Herries of Terregles, lord of the fee of the whole lordship of Terregles, of the lands and barony of Kirkgunzeon, and half of the barony of Urr, in the shire of Dumfries and stewartry of Kirkcudbright. Done at the Reid Castell and Culquhawane, the chief messuages of the baronies of Kirkgunzeon and of Urr [1486]. 445
56. Bond of Manrent by Alexander Steuart, son and apparent heir of Alexander Steuart of the Garules, whereby he becomes bound to be "leal and true," both in peace and war, to John Lord Maxwell, and to take part with him in all his lawful and honourable causes and quarrels against all; excepting his allegiance to the King and his father, Alexander Steuart foresaid, for five years following the date of the bond. Dated at Kirkmahoe, 1st August 1486. 446
57. Indenture between John Lord Maxwell, and Cuthbert Murray of Cokpule, and their respective kin and friends, whereby the said Cuthbert and his brothers and others, who were present at the assault made on Lord Maxwell's person and the slaughter of his "eme," Mr. John Maxwell, become bound to appear at the market cross of Edinburgh or Dumfries, or other place, at the pleasure of his lordship, in their "lynnyng clathis," and ask his lordship's forgiveness, and to become bound in special manrent and service to Lord Maxwell and his heirs for ever; and further, the said Cuthbert became bound to infest a priest in an annual rent of £10 to sing perpetually in the kirk of Carlaverock, for the welfare of the soul of the said Mr. John Maxwell, and for the souls of those that were slain at the same time with him, etc., etc. Dated at Edinburgh, 4th September 1486. 446
58. Bond of Manrent by Robert Hamiltoun of Prestoun, whereby he became bound in manrent and service to John Lord Maxwell, for all the days of his life,—his allegiance to the King and to his chief, the Lord Hamilton, excepted. Dated at Edinburgh, 30th October 1490. 448
59. Bond of Manrent by Sir Alexander Stewart and Alexander Stewart, his son and apparent heir, whereby they became bound in manrent and service, both in peace and in war, to John Lord Maxwell, on account of a marriage to be solemnized between the said lord and Agnes Stewart, daughter to the said Sir Alexander, excepting their allegiance to the King and their service to Patrick Earl of Bothwell; the bond to continue in force for seven years from the date thereof. Dated at Carlaverock, 15th February 1490. 448
60. Indenture between Richard, bishop of St. Asaph, Thomas Lord Dacre, and others, commissioners for King Henry the Seventh of England, on the one part, and George, bishop of Dunkeld, William Lord Borthwick, and others, commissioners for King James the Fourth of Scotland, on the other part, whereby, after hearing the complaint made by the prior of Cannobie and the tenants and inhabitants of the lauds of Cannobie, against Alexander Charletoun and other Englishmen, for taking away of certain cattle, and burning and spoiling of goods belonging to the complainers, in contravention of the truce between the two countries, the said commissioners

ordained that the wardens, lieutenants, and their deputies, of both kingdoms, should appoint special days for meetings to be held at convenient places for the purpose of redressing such wrongs as were inflicted by the inhabitants of the two countries upon each other: And particularly, that commissioners of both countries should meet at Lochmaben on 8th August following, to make a final decision respecting the Fischegarht and all debatable lands. Dated at Coldstream, 26th March 1494.....	Page 449
61. Letters of Bailiery by John, abbot of Holywood, and the convent thereof, appointing John Lord Maxwell, and Robert and Sir Herbert Maxwell, his eldest and second sons, their bailies of the lands and barony of Holywood, in the shire of Dumfries, for nineteen years from Whitsunday next after the date of the letters; with all the powers and privileges belonging to the said office. Dated at the Abbey of Holywood, 13th May 1495.	450
62. Notarial Instrument on the revocation by Andrew Herries, son and apparent heir of Herbert Lord Herries of Terregles, in presence of King James the Fourth and his privy council, of the resignation made by him into the King's hands, during his minority, of the lands of Terregles, Kirkgunzeon, the half barony of Urr, Hoddum, Tollyrgarth, Lockerbie, Hutton, Avendale, Moffetdale, and others therein specified, on the ground that the resignation was made at the instigation of Archibald Earl of Angus, Chancellor of Scotland for the time, who promised to cause his Majesty regrant the said lands to the said Andrew and Janet of Douglas, daughter of the said Earl, and to the heirs of their bodies, whom failing, the lands to return to the said Andrew and his nearest heirs, and that the Earl had not fulfilled the conditions on which the resignation was made. Done in the Chapel-Royal, within the Abbey of Holyrood, 3d December 1498.	451
63. Obligation by Sir William Douglas of Drumlanrick, knight, for himself, his heirs, executors, and assignees, whereby, on the narrative that John Lord Maxwell had become bound that Sir Robert Maxwell, knight, his son, should marry Janet Douglas, daughter of Sir William, and to infeft the said Sir Robert and Janet, and the lawful heirs of their bodies, in the lands of Hessildene, Tydwod, and Humby, extending to a 25 merk land, in the barony of the Mernys and shire of Renfrew, and in other lands specified, in the barony of Carlawerock, extending to a 25 merk land, the said Sir William became bound to pay to the said Lord Maxwell the sum of one thousand pounds at the terms specified in the bond. Dated at Glenneslane, 4th June 1509.	453
64. Notarial Instrument, narrating that Robert Gordon of Glen, knight, compeared in preseece of a notary and witnesses, and faithfully bound himself and his heirs in homage and service to John, fourth Lord Maxwell and his heirs, for ever, saving his allegiance to the Crown, and to the Earl of Bothwell, then living, for his lifetime only. Done in St. Mary's aisle, in the parish church of Dumfries, 3d February 1512.	453
65. Retour of the Service before John Charteris of Lochtown, of Robert Lord Maxwell, as heir of his father, John Lord Maxwell, of the lands of Carnsallach and Durisquen, in the shire of Dumfries, which were then valued at £40 yearly, and in time of peace at £20, and were held in chief of the King in blench-farm, for payment yearly of a penny of silver on the feast of St. Kentigern, in the church of Kirkmahoe, if asked. Dated at Dumfries, 4th November 1513.	454
66. Commissioun by Margaret Queen-dowager of Scotland, governor to her son, King James the Fifth, appointing Robert Lord Maxwell to be captain of the castle of Thrave and steward of the stewartry of Kirkcudbright, for 19 years, with all the powers and privileges belonging to the said offices, and assigning to the said Robert the mails and duties of the lands belonging to the castle during the said period. Given under the King's signet, at Perth, 26th November 1513.	455

67. Bond of Manrent by George Murray, brother to John Murray of Cokpule, knight, whereby the said George bound himself in manrentship and service to Robert Lord Maxwell, for all the days of his life. Dated at the College of Lincluden, 13th August 1514. 456
68. Bond of Manrent by John McClellane in Awchleyne, whereby he bound himself in manrent and service to Robert Lord Maxwell for all the days of his lifetime. Sealed with the seal of Cuthbert M'Byrne, burges of Dumfries, and subscribed by the granter, at Dumfries, 22d June 1517. 654
69. Bond of Manrent by Gilbert Macklelane in Reycharne, whereby he bound himself in manrent and service to Robert Lord Maxwell during all the days of his lifetime. Dated at Dumfries, 13th January 1517. 456
70. Bond of Manrent by James Douglas of Drumlanrig, binding himself in special retinue, manrent, and service to Robert Lord Maxwell for all the days of his life. Dated at Dumfries, 13th September 1518. 457
71. Bond of Manrent by William Gordon of Craiglach, binding himself to Robert Lord Maxwell in manrent for seven years after the date of said bond. Dated at Wigton, 7th July 1519. 457
72. Bond of Manrent by Sym of Johnston of Poldene and David Johnston of Herthop, whereby they bound themselves in special retinue, manrent, and service to Robert Lord Maxwell for all the days of their life. Dated at Lochmaben, 30th December 1520. 458
73. Bond of Manrent by John Herys of Maby, binding himself to Robert Lord Maxwell in manrent, special retinue, and service all the days of his life. Dated at Dumfries, 21st February 1520. 458
74. Bond of Manrent by Alexander Stewart of Garlies, with consent of his curators, to Robert Lord Maxwell for all the days of his life. The said Alexander further bound himself to renew this bond at his perfect age. Dated at Wigton, 2d August 1521. 459
75. Letters by King James the Fifth, under the privy seal, with consent of the Regent Albany, appointing Robert, fifth Lord Maxwell, to be keeper of the castle of Lochmaben for 19 years from the date of his Majesty's letters, with all privileges and freedoms pertaining to the said office during the space foresaid. Dated at Edinburgh, 7th October 1522. 459
76. Bond of Manrent by Alexander Stewart of Garles, whereby he became bound in special manrent and service to Robert Lord Maxwell, for their two lifetimes. Dated at Dumfries, 16th July 1523. 460
77. Bond of Manrent by James Gordon of Lochinver, whereby he becomes bound in special manrent and service to Robert Lord Maxwell for all the days of his life. Dated at Drumlaurig, September 1525. 461
78. Letters by Robert Lord Maxwell, warden of the west marches of Scotland, receiving John Armistrang as tenant, in free heritage, of the lands of Dalbeth, Scheld, Dawblane, Stablgortoun, Langholm, and Tevioteschelis, in the lordship of Eskdale and shire of Dumfries: To be held of Lord Maxwell and his heirs, as lords of Eskdale, for ever. Dated at Dumfries, 4th August 1525. 461
79. Notarial Copy of Letter by King James the Fifth, ratifying his Majesty's supplication to the Pope for promoting Dean John Maxwell, abbot of Dundranan, to the abbacy of Melrose. Subscribed by his Majesty at Edinburgh, 21st September 1525: Whereupon the said dean took instruments at Holyrood Palace. 462

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| 80. Bond of Manrent by John Armstrong, whereby he bound himself and his heirs in manrent and service to Robert Lord Maxwell, warden of the west marches, etc., for evermore, because his lordship had granted to the said John Armstrong and his heirs perpetually the non-entries of the lands of Dalbeth, Scheild, Dalblane, Stapilgortonn, Langholme, and Crwnovte. Provided that if the said John, or his heirs, should fail in this service, in that case the gift of the non-entries made to him was to be of no avail. Dated at Dumfries, 2d November 1525..... | 462 |
| 81. Commission under the great seal by King James the Fifth, with advice of the Lords of the Privy Council, appointing Robert Lord Maxwell to be warden of the west marches of Scotland within the bounds of Annandale, Eskdale, Ewisdale, Nithsdale, and Galloway, with all fees pertaining to that office. Dated at Edinburgh, 28th January 1525. | 463 |
| 82. Charter under the great seal by King James the Fifth, appointing Robert Lord Maxwell chief carver to his Majesty for life, with power to him of administering in that office, and of exercising the same in person or by his deputies, whom he was empowered to constitute, and granting to the said Lord Maxwell all the fees and customs used and wont. Dated at Edinburgh, 4th July 1528..... | 464 |
| 83. Bond of Manrent by John Carmichael of Meadowflat, binding himself for life in special manrent and service to Robert Lord Maxwell. Dated at Dumfries, 15th October 1528. | 464 |
| 84. Procuratory of Resignation by John Armestrang, whereby he appointed Robert Lesley, and Sir Alexander Jardine, his procurators, for resigning, from himself and his heirs, into the King's hands, in favour of Robert Lord Maxwell, and his heirs, the lands of Langholme, in the lordship of Eskdale, and the non-entries of the same, to the effect that his Majesty might give heritable sasine to Lord Maxwell and his heirs in the said lands. Dated at Dumfries, 18th February 1528. | 465 |
| 85. Bond of Manrent by William Jarding of Bawgray, Niniane Jarding of Rokkelflatt, William Jarding of the Hole, David Jarding of the Gwisgrene, William Jarding of Brerehill, William Jarding of Sevalbe, Jok Jarding, Will Moffet, and all their kin and servants, whereby they bound themselves in manrent and service to Robert Lord Maxwell, till John Jarding, heir of the late Sir Alexander Jarding, should be of perfect age to enter his land and take the rule and management of the same. Dated at the Castle of Lochmaben, 18th March 1530. | 466 |
| 86. Bond of Manrent by Robert Heris of Maby, whereby he bound himself and his heirs in all time to come, in special manrent and service, to Robert Lord Maxwell and his heirs, for his lordship's favours and letter of maintenance. Dated at Dumfries, 11th May 1531. | 466 |
| 87. Instrument recording that Robert Lord Maxwell compeared personally (in the church of St. Giles at Edinburgh) before Robert Dalzell of that ilk, and craved his pardon for the slaying of his grandfather, umquhile William Dalzell of that ilk, and likewise for all actions and complaints whatsoever, whether committed by the said Robert Lord Maxwell or his father against the said Robert Dalzell or his predecessors. The pardon was granted, and the parties mutually promised to observe a bond of friendship for the future. Dated before the altar of the Virgin Mary in St. Giles' Church at Edinburgh, 5th February 1533. | 467 |
| 88. Letters by John, abbot of Sweetheart, and the convent thereof, constituting Robert Master of Maxwell and his heirs-male, bailies of the barony and lands of Lochindow and Kyrkpatrik, and of the laychtis lying in the stewartry of Kirkcudbright, for nineteen years, with power to hold and proclaim courts, raise the amerciements, etc., and to appoint deputies under them. And the said abbot and convent freely assigned, for themselves and their successors, to the said Master of | |

	Maxwell and his heirs-male the lands of Lochartour, <i>alias</i> Achinreach, in fee for the said term of nineteen years. Dated 10th April 1539.	Page 468
89.	Charter under the privy seal by King James the Fifth, granting to Robert Lord Maxwell the escheat of all goods whatsoever that formerly pertained to James Dowglas of Drumlangrig, but were then in his Majesty's hands by reason of escheat, through the said James being denounced a rebel and put to the horn, for participation in the slaughter of the deceased Mr. Hector Sinclair. Dated at Stirling, 2d April 1541.	469
90.	Indenture between Robert Master of Maxwell and John Johnston of that ilk, narrating that forasmuch as the said John Johnston was, before his passing in ward, bound for life in manrent to Robert Lord Maxwell (father of the said Master of Maxwell), who had chanced to be taken prisoner in England, and that said bond was not then discharged, the said John Johnston bound himself to the said Master of Maxwell during his father's absence forth of the realm ; the Master of Maxwell promising faithfully to the said John Johnston to concur with him till his father's homecoming, and to cause him be answered and obeyed of the mails, grassums, profits and duties of the ten merk lands of Drysdale. Dated at Edinburgh, 3d January 1542.	470
91.	Bond of Manrent by Thomas Kirkpatrick of Closeburn, binding himself for life in manrent and service to Robert Lord Maxwell. Dated at Edinburgh, 3d February 1542.	470
92.	Letters under the privy seal by Mary Queen of Scots, whereby her Majesty, understanding the good, true, and thankful service done to her Majesty's father by Robert Lord Maxwell, and Robert Master of Maxwell, his son and heir-apparent, and that they and John Maxwell, his lordship's second son, had, in lease from his Majesty under the privy seal, the keeping of the castle of Lochmaben for nineteen years, of which several years were yet to run ; therefore her Majesty, with consent of James Earl of Arran, Lord Hamiltoun, Protector and Governor of the Kingdom, let in assedation to the said Robert Lord Maxwell, Robert Master of Maxwell, and John Maxwell, his sons, the keeping of the said castle of Lochmaben, with all fees, profits, and duties, for nineteen years after the date of said letters. Dated at Edinburgh, 14th February 1542.	471
93.	Notarial Instrument, narrating that Robert Lord Maxwell declared that, while a prisoner of King Henry of England, he had surrendered to the English his castle of Carlawerock, and entered into engagements with the said King Henry, contrary to the laws and authority of his own sovereign, from compulsion and the fear of death ; and that on his return from captivity to his native country he revoked and renounced all his promises and obligations to the English king, because, being extorted from him by fear, they were of no strength or effect. Dated at Lord Maxwell's New House at Dnmfries, 28th November 1545.	472
94.	Letters of Remission under the great seal by Mary Queen of Scots, whereby her Majesty, with advice and consent of James Earl of Arran, Lord Hamilton, Protector and Governor of the Kingdom, and the Lords of the Privy Council, pardoned Robert Lord Maxwell, bearer thereof, for his treasonable communication with the English at the time of the burning of Edinburgh and Leith, and for his retreat with them and staying in England during the time of the war, and for surrendering into their hands the castle of Carlawerok while he was a prisoner in England, and for his treasonable detention of her Majesty's castle of Lochmaben, and for all other crimes and offences committed by the said Lord Maxwell before the date of the present remission. Dated at Linlithgow, 12th January 1545.	473
95.	Bond of Manrent by Thomas McClellane of Achinlene, tutor of Bomby, Mr. Thomas Maclellane	

	in Balmagachan, William McClellane in Nethirthrid, John Makelellane in Torris, William MakClellane in Dunrod ; Mathew Makelellane in Collyne, with their kin and servants, whereby they bound themselves in special manrent and service to Robert Lord Maxwell, during the minority of Thomas Makelellane of Bomby. Dated at Dumfries, 26th February 1549.....	Page 474
96.	Bond of Manrent by William Kirkpatrick of Kirkmychell, whereby he bound himself for life in special manrent and service to Robert Lord Maxwell. Dated 10th March 1549.	475
97.	Bond of Manrent by Johu Greirson of Lag, binding himself for life in special manrent and service to Robert Lord Maxwell. Dated at the Lag, 23d March 1549.	475
98.	Bond of Manrent by Alexander Stewart of Garles, binding himself in special manrent and service to Robert Lord Maxwell during their two lifetimes. Dated at the Garoles, 24th March 1549.	476
99.	Bond of Manrent by John Creichtoun, brother-german to the late William Lord Creichtoun of Sanchquhar, Herbert Creichtoun, the said John's brother-german, William Creichtoun, their natural brother, Edward Creichtoun of Lubery, Mr. Robert Creichtoun, parson of Sanchquhare, James Creichtoun of Carco, Mr. Edward Creichtoun, his tutor, Andrew Creichtoun of Craufurd-toun, John Creichtoun, his son and heir-apparent, Ninian Creichtoun in Auchintaggane, John Creichtoun in Hill, and the first-mentioned John Creichtoun as principal for the other kin, adherents, and tenants of the said Lord Crichtoun of Sanchquhar, and specially the indwellers of the barony of Sanchquhar, and of all other bounds pertaining to the said lord on the south of the Forth, whereby they bound themselves to Robert Lord Maxwell for nine years after the date of the bond. Dated at Edinburgh, 22d June 1550.	477
100.	Bond of Manrent by Thomas Kyrpatrick of Closeburne, whereby he bound himself for life in manrent and service to Robert Lord Maxwell. Dated at Closburne, 23d July 1550.	478
101.	Bond of Manrent by Thomas Makelellane, tutor of Bomby, Mr. Thomas Makelellane in Barmith-gachane, William Makelellane in Neddirthrid, William Makelellane in Balmangane, John Makelellane in Torris, William Makelellane in Dunrod, for themselves and the rest of their kin and friends, whereby they bound themselves to serve and obey John Maxwell of Terregles, knight, till Robert Lord Maxwell, then pupil, should come to perfect age of eighteen years during the minority of Thomas Makelellane of Bomby, their chief: For which the said John Maxwell bound himself to maintain and defend the said persons, and their kin and friends, in all their lawful actions. Dated at Dundranann, 21st December 1553.	478
102.	Bond of Manrent by Christell Armestrang, called John's Christie, whereby he bound himself and his heirs for ever in manreut and service to John Lord Maxwell and Sir Johu Maxwell of Terregles, knight, his tutor and governor, and to Lord Maxwell's heirs, because he, with advice and consent of his said tutor, had given to the said Christell Armestrang and his heirs the mails of certain lands mentioned in a bond made to umquhile John Armestrang, his father. Dated at Dumfries, 24th January 1557.	479
103.	Contract between the Right Honourable Sir John Maxwell of Terregles, knight, tutor to John Lord Maxwell, and Christe Armstrong of Baineleis, whereby the latter, and his heirs-male after him, were to have the use and keeping of the house and place of Langholm, in behoof of the said Sir John and his heirs, during the time of his tutory, wherefor the said Sir John and his heirs were to pay to Christe and his heirs, in time of peace, £40 Scots, in name of feal, and, in time of war, Christe and his heirs were to have the keeping of the said house and place of Langholm as would be thought reasonable by four honest gentlemen, till the said Lord Maxwell came of age, and afterwards, if he consented thereto. Dated at Lochmaben, 1st July 1562.	480

104. Obligation by the heads of various branches of the Maxwells, setting forth that, forasmuch as they found it to be their will, that the use and custom of their forefathers should be observed among them, therefore they promised, one and all of them, to stand and abide by the decreet and judgment of their chief and master, John Lord Maxwell, in all their causes and differences, so that thereafter no other judgment of law should be sought in the contrary, provided two Maxwells, chosen by either party, assisted and concurred in counsel with the said John Lord Maxwell. They also obliged themselves to serve and obey Lord Maxwell in all his honest causes against any whomsoever. And the said Lord Maxwell obliged himself to do equal justice, without respect of either party, and to maintain and defend them in all their honest and lawful causes to the utmost of his power. Subscribed by the said parties at Dumfries, 20th November 1571..... 481
105. Bond of Manrent by John Maxwell, tutor of Kirkconnell, whereby he bound himself to serve John Lord Maxwell, as his only chief and master, in all lawful business. Wherefore the said Lord Maxwell becoming bound for himself and his heirs to maintain and defend, to the utmost of their power, the said John Maxwell and his heirs in all their lawful causes, against whatsoever persons, the King and his successors' authority only excepted. Dated at Dumfries, 11th January 1572. 482
106. Bond of Manrent by Robert Chartouris of Kelwood, whereby he bound himself and his heirs in special manrent and service to John Lord Maxwell and his heirs for ever. Dated 10th June 1574. 482
107. Warrant under the Signet by King James the Sixth to the Chancellor, President, and Lords of Council and Session, whereby on the narrative that his Majesty, with advice and consent of James Earl of Morton, Lord of Dalkeith, the Regent, had disposed to John Lord Maxwell the heritable right of the lands of St. Thomas's Chapel, in the shire of Roxburgh, which were in his Majesty's hands, through the forfeiture of Sir Thomas Ker, sometime of Farnyhirst, knight, and that their lordships deferred to proceed, at the instance of Lord Maxwell, against the tenants of the said lands, in respect of warrantice craved by them of Scott, spouse of the said Sir Thomas, by reason of a disposition of the mails and duties of the said lands made to her during the pleasure of the King and the Regent, his Majesty charged their lordships to proceed and do justice at the instance of Lord Maxwell, notwithstanding the said disposition, which his Majesty declared to have no effect in time coming, because she in whose favour it had been given, had departed and remained furth of the realm. Subscribed by the Regent at Dalkeith, 15th March 1575. 482
108. Discourse and Advice by John Lord Herries regarding the West Marches :—
On 23d January 1578, John Lord Herries, in presence of the Lords of the Privy Council, declared how he had presented to the King a discourse, containing an account of the troubled state of the West Marches of Scotland opposite England, with his advice touching the remedying thereof. John Lord Maxwell, the then warden, had, in a letter termed Lord Herries's advice "a pernicious counsel," and in other points had shewn his dislike thereof; whereupon Lord Herries offered to abide by the judgment of the King and the Lords of the Privy Council. Therefore their lordships, at the request of both Lord Maxwell and Lord Herries, ordained the said discourse and advice, with the answer thereto, to be inserted in the books of the Privy Council, *ad futuram rei memoriam*, and copies thereof to be extracted and delivered to them.
In the Discourse Lord Herries sets forth that a few disloyal subjects, living on the frontiers of England, in the opposite wardenry, had planted themselves on a waste ground, and made sundry incursions into Scotland, and being maintained by England, were beginning to grow in such numbers and pride, that their invasions were insufferable to his Majesty's true subjects.

These ravishers—the Grahames, with their thievish assistants, the inhabitants of Esk, Levin, and Sark—had, by the spoils got in Scotland, built even on the very frontier of Scotland eight or nine great stone houses, impregnable to the warden of Scotland. In the year 1542 their number was not above twenty or thirty at most, but it had since grown to sixteen or eighteen score, ready at the warning of an hour or an hour and a half, well mounted, brought up, and living in idleness, and caring for no other mode of life than the spoiling of Scotland. Besides all this, they had murdered upwards of a hundred Scotchmen, and burnt very much of the country. The realm of England had cast down his Majesty's house of Annand, and burnt Dumfries, the principal town within that march, so that within twenty miles of the march of England on the Scottish side there was no place of strength wherein an honest man, true to his Majesty and his realm, could remain. These same thieves, with the assistance of English thieves, had slain the principal barons near the border, such as the Lord Carlisle, the lairds of Mouswald, Kirkmichael, Kirkconnell, and Logane in Annandale, and many others.

483

In his Advice for the securing of good order in the West Marches, Lord Herries—

First recommends that the warden, who was Justice-General, should, with his household, make his residence at Lochmaben castle, and that if at any time he should be absent from it, he should in winter be in Dumfries, having always in Lochmaben a sufficient gentleman as his depute, and that the Justice Court or Steward Court, as it was called, should be kept weekly in the town of Lochmaben, and that every landed man should present his servants and tenants when required. To assist with the steward, there should be five or six of the wisest men of the country as deputies, of whom two should be Johnstones of the wisest and most reasonable men that could be found. To give the laird of Johnstone occasion to think that the correction of his thieves was done neither for greed, nor any kind of particularity, it was expedient when any of his men were found guilty and executed for their crimes, that one half of their escheats should go to him, and the other half be divided equally between the wife and children of the person executed, and the officers that made the search. It was further expedient that his Majesty should send one or two wise men to Dumfries yearly about the end of September, to hold a justice court, to understand the state of the country, to see that the warden had truly and diligently done his office, and that the barons and gentlemen had duly observed their bonds, and to make information thereof to His Majesty. Because Lords Herries and Carlisle, and the lairds of Drumlanrik and Lag, had lands in Annandale, it was requisite that they should assist the warden and answer for their men; and that in times of great disobedience in that country Lord Herries should remain in Hoddam, Lord Carlisle in Kelheid or Torthorwald, the laird of Drumlanrik in Mouswald or Ros, the laird of Lag in Rokell, the laird of Johnstone, with a household of his true and honest friends, at his place of the Lochtwode, and Apilgarth at his house of the Spedlingis, and Lord Maxwell, provided he was not warden, at his house of Langholme. Supplication was to be made to His Majesty to grant a worthy gentleman to be captain, and wages to twenty-four well-mounted men, to lie at the destroyed town of Annand, the captain to have in the year £200, eight great bolls of oats, and every one of his soldiers £100 and four bolls of oats, these oats to be taken from the grange of Lochmaben, the money extending to £2600 only. It was expedient that Lord Maxwell, whose grandfather had got the greatest part of the lands of Eskdale, Ewisdale, and Wauchopdale from the late King, if he was to be warden and remain at Lochmaben, should have an honest man as his depute and captain in Langholm, and spend on him and a household there all the profits of the lands and churches of Waststieker, Stabiltgortoun, Wauchop, and Netherkirk of Ewis, which profits would sustain twelve horsemen with their captain. Also the watch-tower upon Trailtrow, called Repentance, must be repaired, and according to the former plan, the great bell and the fire pan put on it, and a husband land adjacent given to a man for keeping continual watch thereon.

485

Lord Maxwell's Answer :—He protests against the various points of the foregoing "Advice" individually. First, The warden's taking up his residence at Lochmaben Castle was very hurtful to Lord Maxwell, because the custody of the said castle was a separate office, having had fees and duties appropriated thereto for a long time ; and he (Lord Maxwell) had the best right thereto by reason of divers leases by His Majesty and his predecessors, as well as a contract between Lord Herries and himself. Secondly, The proposal to let the laird of Johnstone have half the escheats of such of his men as might be executed, was also very prejudicial to Lord Maxwell's office and liberties, for if the laird of Johnstone was to have this reward for his disobedience, other barons might take the like occasion of disobedience. Thirdly, The farm corn of Lochmaben, which Lord Herries would appropriate to the garrison of Lochmaben for horse corn, was the chief fee annexed for the custody of the castle. Fourthly, As to the alleged expediency of Lord Maxwell's having a captain in Langholm, and allowing him the profits of the lands and churches already mentioned, Lord Maxwell says that this point was satisfied by his general bond to the King. This device also touched none but him. Lastly, As to the tower of Trailtrow and husband land adjacent to be given to a watchman, Lord Maxwell answers, that inasmuch as it was of his heritage, equity required that it should be no further employed to a common use than other lands and houses adjacent. Dated 23d January 1578.

487

109. Bond of Manrent by George Maxwell of Newerk, whereby he bound himself for life in special retinue, manrent and service, to John Earl of Mar. Dated at Stirling, 22d May 1580.

489

110. Bond of Manrent by Robert Maxwell of Cowhill, whereby he bound himself and his heirs to his chief, John Lord Maxwell, and his lawful heirs-male, in manrent and service, and obliged himself, with his brothers, brothers' sons, friends, servants, tenants, and dependants, loyally and truly to serve the said Lord and his heirs against any persons whatsoever, the King's Majesty always excepted. Dated at Edinburgh, 15th March 1580.

489

111. Agreement between Esme Earl (afterwards Duke) of Lennox, Lord Darnly and D'Anbigny, High Chamberlain of Scotland, and John Lord Maxwell, son and heir-apparent of Dame Beatrix Douglas, daughter, and one of the three heirs of the deceased James Earl of Morton. This agreement sets forth that James, then Earl of Morton, being in ward for alleged treason and lese-majesty, the King had interest to make factors to intromit with all the property and possessions of the said Earl of Morton. And therefore the Earl of Lennox was to use diligence to move the King to constitute the said Lord Maxwell, his heirs-male, and their deputies, his Majesty's chamberlains and factors of all the lands and baronies of Morton, Preston under the Fell, Moscarscho, etc., together with all the possessions whatsoever of the earldom of Morton and lordship of Dalkeith. The Earl of Lennox was further to endeavour to move the King to command his advocates to raise briefs of idiocy against the daughters of the said deceased Earl of Morton, with the view that, if they were found idiots, his Majesty might make Lord Maxwell their tutor during their lifetime. And in case a process of forfeiture was led against the then Earl of Morton, the Earl of Lennox was to use diligence to move his Majesty to dispoise heritably to Lord Maxwell and his heirs-male all the earldom of Morton and lordship of Dalkeith. Wherefor, Lord Maxwell promised faithfully to intend action of reduction of the said Earl of Morton's right to the said earldom and lordship. This action being obtained, Lord Maxwell was to consent to the Earl of Lennox's obtaining of the King such right and title as he might to all the lands, etc., of Dalkeith, Caldercleir, and Abirdour. Dated at Dalkeith, 29th April 1581. ...

490

112. Will of Sir John Maxwell, fourth Lord Herries. He left his wife and eldest son executors, and the Laird of Lochinvar to be oversman. His goods were to be disposed as follows: His wife to have the place and baronies of Terregles and Kirkgunzeon (except the place of Kirkgunzeon), with the homestead of Couneving and ward belonging thereto, which he ordained his said eldest

- son to have of his mother (but only on condition of doing service and good cause), since all the lands were come by her. His son and heir was to have the half barony of Ur, with the lands of Annandale, Barnebachill, Bischope Forest, Kinhervie, and the lands of Inglishtoun and the Laithis. His son Robert was ordained to have the Spottis, the Nether Law, Linkingis, Castलगour, mills of Dumdrenane. His son John was to have the pension of Tungland, which was 500 merks, the parsonage of Kirkpatrick-Irnegray, and the pension of the Halywood, with the feus of Dumdrenane. Grisel was to be paid 3000 merks, 1000 in Mr. Mark Karis's hands, 1100 merks in Robert's hands, and 900 in his wife's hands. His son Edward was to pay to his (Edward's) sister, Sara, 3000 merks, and failing her by decease, to her younger sister, Nicolas. He willed his wife and his son, John, to give the said Nicolas 3000 merks on her coming to the age of fourteen years. He left his natural son, James, to be a servant to his son William. Sande, being of an evil inclination, was to have £100. He ordained his clothes and horses to be disposed to such of his servants as were riding men, at the discretion of his executors and oversman. Dated at Terregles, 26th May 1582..... 492
113. Letters of Remission, whereby John Lord Hamilton, Warden of the West Marches, opposite England, and Justice in that part, granted pardon to Richard Herries in Barnebarroch, Alexander Ahannay, and George Herries in Auchinshein, for harbouring David Murray of the Eckat, his brothers, and their accomplices, and giving them meat and drink, and restored the said accused persons to their honour and fame, the respite to endure for nineteen years. 1586. 493
114. Obligation by Walter Grahame of Netherbie, William Grahame of Milleyis, George Grahame of Kirkeanders, Robert Grahame of Fauld, Jok Grahame of the Peth David Grahame of Bankheid, and William Grahame of Millhill, whereby they bound themselves and their heirs that the said Robert Grahame of Fauld should enter again to William Lord Herries, within the burgh of Dumfries, within eight days after they were required thereto, either by Lord Herries, the Laird of Johnston, the young Laird of Cokpule, or the young Laird of Holmendis, under pain of losing their credit and estimation for ever. Dated at Dumfries, 1st April 1588, 494
115. Bond of Manrent by Sym Armstrong, younger of Whitehauch, binding himself for life to serve John Earl of Morton, Lord Maxwell, etc., under the pain of perjury, defamation, and perpetual loss of credit and estimation. Dated at Dumfries, 28th January 1589. 494
116. Order under the Signet by King James the Sixth, charging his sheriffs in that part to command William, fifth Lord Herries, to deliver up the Castles of Carlaverock, Treave, Mearns, and Morton within twenty-four hours after he was charged thereto, under pain of treason, and forfeiture in case of refusal. Dated at Craigmiller, 29th September 1589. 495
117. Bond of Manhood and Service by the inhabitants of the burgh of Annan, of whom a list is given, in favour of John Earl of Morton, and Lord Maxwell. This bond sets forth that the said inhabitants of Annan ratified especially their bond of manhood and service to the said Lord Maxwell, dated 23d November 1573, when the inhabitants of Annan were sworn, and promised to serve Lord Maxwell in all his lawful and honest causes, and Lord Maxwell promised to defend the said inhabitants in all their just and honest causes, and in all their liberties and freedoms of burgh. This prior bond the inhabitants of Annan bind themselves to observe to Lord Maxwell and his successors by the present bond, which is dated at Annan, 9th September 1591. 496
118. Respite by King James the Sixth to Sir James Johnstone of Dunsfellie, knight, and eight score others, for their treasonably taking arms and coming in hostile and warlike manner against

John Lord Maxwell, then His Majesty's Lieutenant and Warden for the time, and murdering the said Lord Maxwell and several others in December 1593, and also for the said Sir James Johnston's breaking out of ward in the Castle of Edinburgh, fire-raising and burning the church of Lochmaben, and murdering Captain Oliphant. This respite was to last for five years. Dated at Holyroodhouse, 24th December 1594.

497

119. Letter of King James the Sixth stating that, inasmuch as William Lord Herries was visited with divers diseases and infirmities so that he could not keep the diet appointed for his compearance before the King and the Privy Council on penult of Febrnary last, therefore His Majesty dispensed with the compearance of Lord Herries, and exouered him for ever from all pain, crime, and danger that he might incur on that account, 1598. 499
120. Patent under the Great Seal by King James the Sixth, changing the title of Robert Earl of Mortoun into that of Earl of Nithsdail. The patent records that on 29th October 1581 His Majesty had created John Lord Maxwell, father of Robert, then Lord Maxwell, Earl of Mortoun, the restoration of Douglas Earl of Morton to his ancient dignity being nowise prejudicial to the said John Lord Maxwell, who had obtained his dignity by creation, and not in consequence of laesemajesty; and therefore His Majesty willed the said dignity to be continued to the said Robert Lord Maxwell and his heirs male for ever. Moreover, His Majesty, to whom it had always been an object of care to remove discord among his subjects, calling to mind the long-standing feud between the families of Morton and Maxwell, and that it was not the custom in His Majesty's kingdoms to dignify two Earls with one and the same title, therefore changed the title of Earl of Morton, which he had conferred on John Lord Maxwell, into the title of Earl of Nithsdail. John Lord Maxwell had been designated Lord John Maxwell of Mearns, Lord Maxwell, Eskdaill, and Carlisle, and Earl of Morton, but Robert, the then Lord Maxwell, was to be styled Robert Lord Maxwell, Lord Eskdaill and Carlisle, and Earl of Nithsdail; but this change of designation was not to be held as making any new creation, but was rather intended to corroborate and confirm the previous title; and accordingly the elevation of the said Lord Maxwell to the rank of Earl was to date from the 29th of October 1581; and the said title of Earl of Nithsdale was continued to the heirs-male of the grantee. Dated at Ferneham, 29th August 1620. 499
121. Detailed Account of the Procession and Ceremony at the Funeral of Lady Elizabeth Douglas, Countess of Nithsdale, from St. Giles's Church in Edinburgh to the Abbey Church of Holyroodhouse, on Monday, 20th March 1637. 500
122. Instructions by Robert, first Earl of Nithsdale, to James and James Maxwells, by them to be spoken to the Earl of Queensberry, the colonel, and the other commanders who were besieging the Castle of Carlaverock,—
1. The Earl of Nithsdale thought he was unjustly dealt with, for a parley had been made by the besiegers with a condition to send one of the name of Portrack and another gentleman to deliver a commission from the "Lords of their table." Portrack, however, was not to be seen.
 2. He desired the release of his servants, otherwise to know the ransom demanded for them.
 3. He desired any motion made to him to be in writing, signed by the colonel and some others of his officers.
 4. Though he acknowledged no authority but his Sovereign's, yet he would deal as befitted a good subject and a true Scotchman. Dated at Carlaverock Castle, 14th July 1640, 501
123. Inventory of Furniture left in Carlaverock Castle when it was surrendered in September 1640. 502
124. Inventory of Furniture in Carlaverock Castle intromitted with by Colonel Home, 1640. 503

ADDITIONAL CHARTER.

125. SCIAnt presentes et futuri, quod Ego Willelmus de Heriz, miles, concessi, dedi et hac presenta carta mea confirmaui, domino Willelmo de Karlilo, militi, et domine Margarete vxori sue, filie quondam domini Roberti de Brus, et eorum heredibus de corporibus eorundem legitime procreatis, vnam acram terre, cum vna salina quas tenui de capitalibus dominis vallis Anandie, in tenemento de Reynpatricke, cum omnibus libertatibus predictis acre terre et saline pertinentibus : Habendas et Teneudas predictas acram terre, et salinam, predictis domino Willelmo de Karlilo, et domine Margarete vxori sue, et eorum heredibus de corporibus eorundem legitime procreatis, cum omnibus libertatibus, aysiamentis, liberis consuetudinibus predictis acre terre, et saline, pertinentibus, libere, quiete, bene et in pace, de capitalibus dominis vallis Anandie : Faciendo inde, eisdem capitalibus dominis Vallis Anandie, qui pro tempore fuerint, seruitia debita et consueta : Et si contingat, quod absit, quod predicti dominus Willelmus de Karlilo et domina Margareta vxor sua, siue herede de corporibus suis legitime procreato obeierint, volo et coucedo, pro me et heredibus meis, quod predicta acra terre, et salina, predicto domino Willelmo de Karlilo et heredibus suis et suis assignatis, in omnibus ut supradictum est, sine aliqua contradictione in perpetuum remaneant : Et ego vero predictus Willelmus de Heriz, et heredes mei, predictas acram terre, et salinam, cum omnibus suis pertinenciis ut predictum est, predicto domino Willelmo de Karlilo, et domine Magarete vxori sue, et eorum heredibus de corporibus suis legitime procreatis, contra omnes geutes warautizabimus, acquietabimus, et defeudemus imperpetuum. Et si couingat quod predicti dominus Willelmus de Karlilo, et domina Margareta vxor eius, siue herede de corporibus suis legitime procreato obierint, ego Willelmus de Heriz et heredes mei, predictas acram terre, et salinam, cum omnibus suis pertinenciis, predicto domino Willelmo de Karlilo et heredibus suis et suis assignatis, contra omnes gentes warantizabimus, acquietabimus, et imperpetuum defendemus. In cuius rei testimonium, huic carte mee sigillum meum apposui ; hiis testibus, dominis Thoma de Torthorald, Humfrido de Bosco, Hugonc Mauleuerer, militibus, Roberto de Applingdene, Nicholao de Corri, Johanne Fleming, Johanne de Tordufe, Willelmo de Henemell, et multis aliis.¹ [*Circa 1290. Lithographed.*]

ABSTRACT OF THE FOREGOING CHARTER.

125. CHARTER by Sir William de Heriz, knight, graunting to Sir William de Karlile, knight, and to Dame Margaret his wife, daughter of the deceased Sir Robert de Brus, an acre of laud with a saltpit, which the granter held of the lords superior of Annandale, in the tenement of Reynpatrick : To be held by the said Sir William de Karlile, Margaret his wife, and the lawful heirs of their bodies, of the lords superior of Annandale, for rendering to them the services used and wont. This Charter provides that, in the event of the said Sir William and Dame Margaret dying without a lawful heir of their bodies, the said acre of land and saltpit should remain for ever with the said Sir William de Karlile, and his heirs and assignees, and contains a separate clause of warrandice for each destination.—[*Circa 1290.*]

¹ From the Original at Drumlanrig.—[Found there after the preceding Charters were printed.]

[illegible]

COLLECTED SEALS OF THE MAXWELLS.



No. 1.



No. 2.



No. 3.



No. 4.



No. 5.



No. 6.



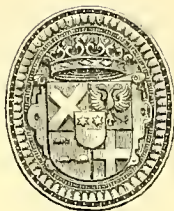
No. 7.



No. 8.

1. Herbert de Makeswell, 1296.
2. John, son of Herbert de Makeswel, 1296.
3. Katherine of Seton, Lady of Dernele and Lady Maxwell, 1430.
4. John, fourth Lord Maxwell, 1495.

5. Robert, fifth Lord Maxwell, 1538.
6. Robert, fifth Lord Maxwell, 1543.
7. Robert, sixth Lord Maxwell, 1551.
8. John Lord Herries, 1512-1582.



No. 2.



No. 1.



No. 3.



No. 4.



No. 5.



No. 6.

1. John, eighth Lord Maxwell, Earl of Morton, c. 1581.
2. John, eighth Lord Maxwell, Earl of Morton, c. 1581.
3. John, eighth Lord Maxwell, Earl of Morton, c. 1581.

4. Archibald Herries of Maidenpaup, 1561.
5. Sir Robert Maxwell of Spottis, 1584.
6. John, ninth Lord Maxwell, second Earl of Morton, c. 1607.



No. 3.



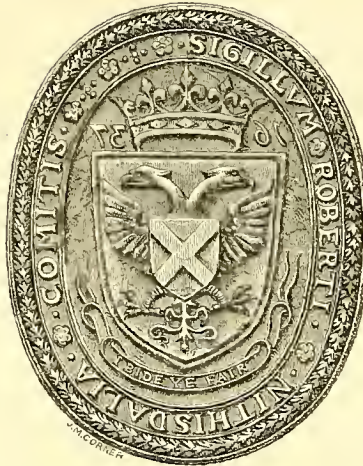
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No. 5.



No. 1.



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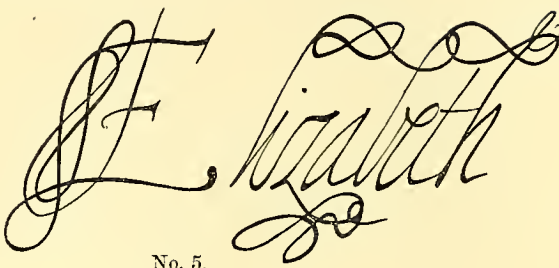
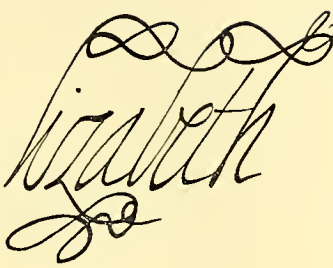


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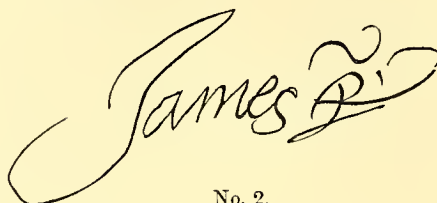


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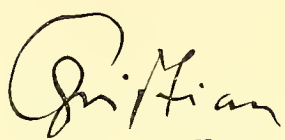
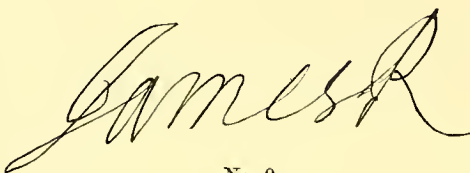
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|--|--|
| 1. Robert, first Earl of Nithsdale, 1637. | 6. Robert, Master of Herries, afterwards fourth Earl of Nithsdale, 1656. |
| 2. Robert, first Earl of Nithsdale, c. 1637. | 7. William, fifth Earl of Nithsdale. |
| 3. Robert, second Earl of Nithsdale, c. 1656. | 8. Lady Winifred Herbert, Countess of William, fifth Earl of Nithsdale. |
| 4. John, third Earl of Nithsdale, 1656. | |
| 5. Robert, Master of Herries, afterwards fourth Earl of Nithsdale, 1656. | |

James Esq.  

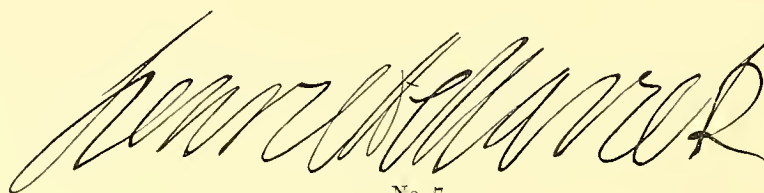
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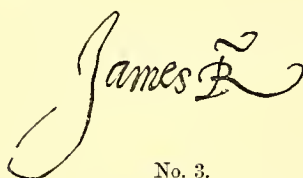
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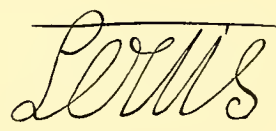
No. 6. No. 9.



No. 7.



No. 3.



No. 8.

1. King James the Fifth, 1528.
2. King James the Sixth, 1589.
3. King James the Sixth, 1623.
4. King Charles the First, 1626.
5. Elizabeth Queen of Bohemia, 1627.

6. Christian the Fourth, King of Denmark, 1627.
7. Henrietta Maria, Queen of Charles the First, 1640.
8. Louis the Thirteenth, King of France, 1641.
9. King James the Seventh of Scotland, 1692.

No. 1.

No. 2.

No. 3.

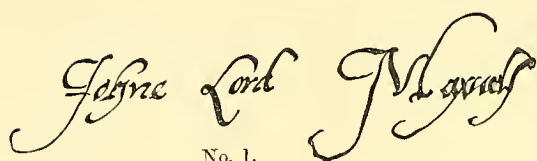
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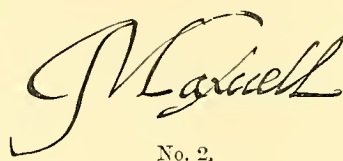
No. 6.

1. Robert, fifth Lord Maxwell, 1521.
2. Robert, fifth Lord Maxwell, 1536.
3. Robert, sixth Lord Maxwell, 1551.

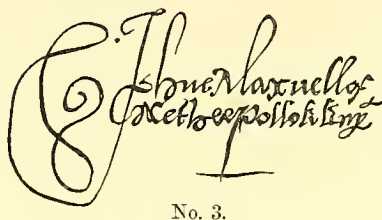
4. John, eighth Lord Maxwell, 1579.
5. John, eighth Lord Maxwell, Earl of Morton.
6. John, eighth Lord Maxwell, 1571.



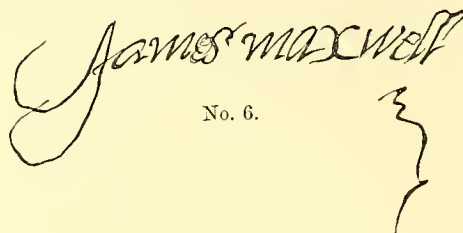
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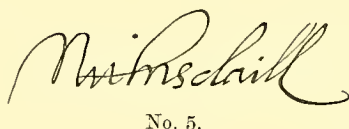
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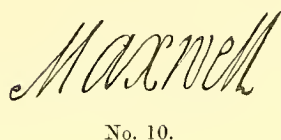
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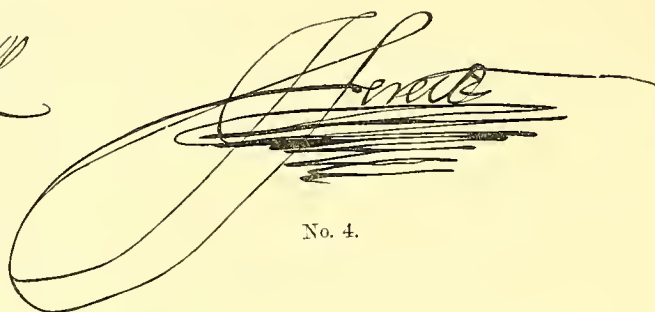
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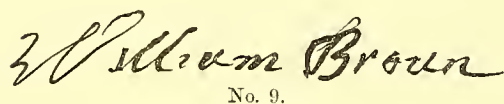
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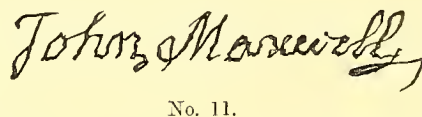
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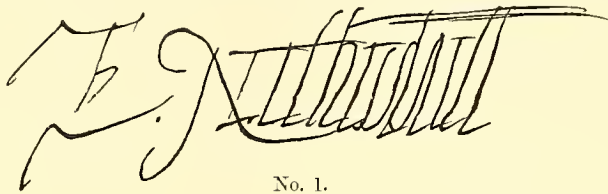
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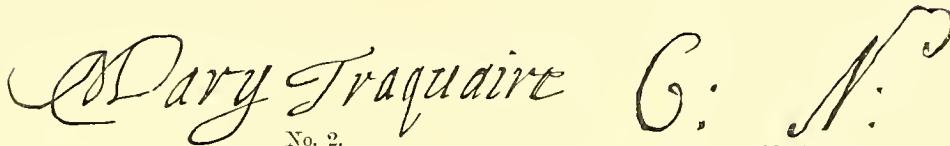
No. 11.

1. John, ninth Lord Maxwell, second Earl of Morton.
2. John, ninth Lord Maxwell, 1605.
3. Sir John Maxwell of Pollok, 1593.
4. John, sixth Lord Herries, 1627.
5. Robert, first Earl of Nithsdale, 1627.
6. James Maxwell of Kirkhouse, afterwards Earl of Dirleton, 1631.

7. Robert, second Earl of Nithsdale, 1656.
8. Winifred, Countess of William, fifth Earl of Nithsdale, 1715.
9. William, fifth Earl of Nithsdale, signing William Broun, 1720.
10. William Lord Maxwell, 1738.
11. John Maxwell, Terraughty, 1800.



No. 1.



No. 2.

No. 7.

your most affectionate
 Sister & obliged humble servant
 W Nithsdale

No. 3.

your most affectionate
 Sister & very humble servant
 W Joanes

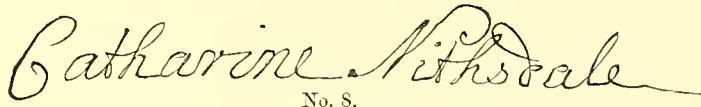
No. 5.

Good Major your abused friend
 & servant
 W JC

No. 4.

Dearest Sister
 your most affectionate
 & very humble servant
 W Johnston.

No. 6.



No. 8.



No. 9.

1. Elizabeth Beaumont, Dowager Countess of Nithsdale, 1661.
2. Lady Mary Maxwell, wife of Charles, fourth Earl of Traquair, 1711.
3. Winifred Countess of Nithsdale, 1716.
4. Winifred Countess of Nithsdale, 1716.
5. Winifred, Countess of Nithsdale, signing "W. Joanes," 1716.
6. The same, as "W. Johnston," 1719.
7. Lady Catherine Stewart, as Countess of Nithsdale, 1745.
8. The same, 1746.
9. Lady Mary Maxwell, her daughter, 1743.



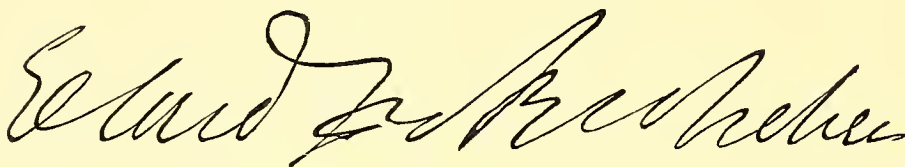
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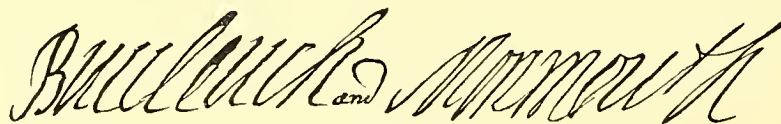
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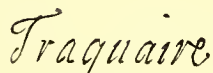
No. 2.



No. 3.



No. 5.



No. 6.



No. 7.

1. Margaret, Queen Dowager, Regent of Scotland, 1513.
2. James Earl of Morton, Regent of Scotland, 1575.
3. Cardinal Richelieu, 1628.

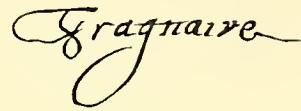
4. Marshall Tillieres, 1628.
5. James Duke of Buccleuch and Monmouth, 1671.
6. Charles, fourth Earl of Traquair, 1694.
7. James, second Duke of Queensberry, 1706.



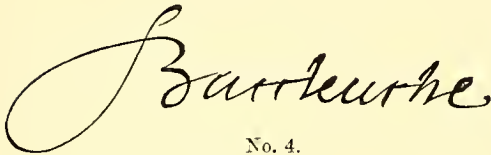
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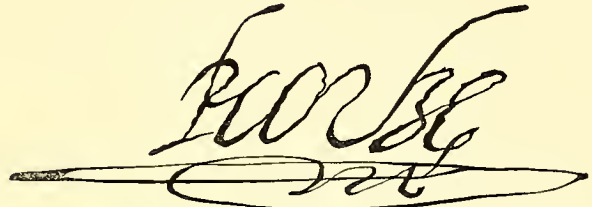
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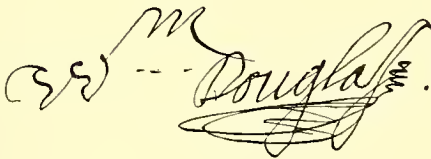
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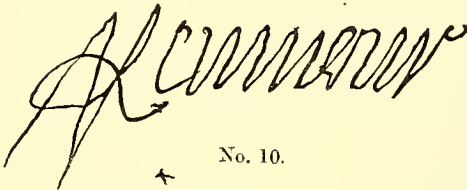
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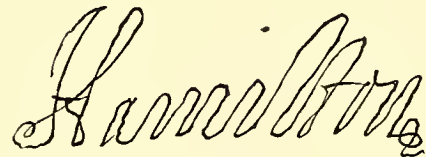
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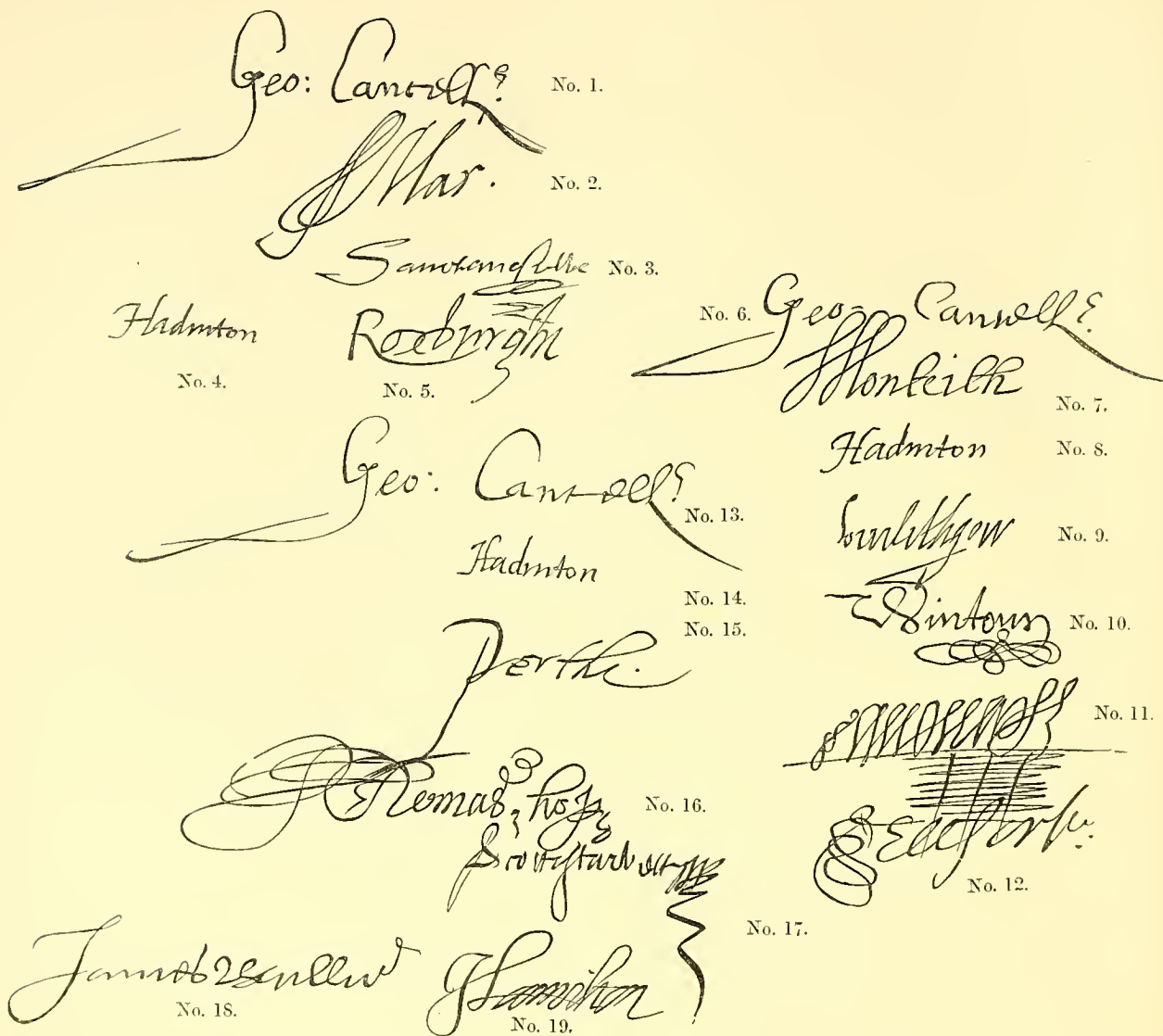
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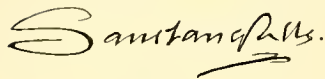
1. William, eleventh Earl of Angus, afterwards Marquis of Douglas, 1625.
2. James, eighth Lord Ogilvy, afterwards Earl of Airlie, 1627.
3. John Earl of Traquair [*circa* 1630].
4. Walter, first Earl of Buccleuch, 1630.
5. Richard Boyle, first Earl of Cork, 1631.

6. Sir John Gordon of Lochinvar, afterwards Viscount Kenmure, 1633.
7. William, first Marquis of Douglas, 1636.
8. George, second Marquis of Huntlye, 1640.
9. James Earl of Northampton, 1660.
10. Alexander, sixth Viscount Kenmure, 1689.
11. William, third Duke of Hamilton, 1693-4.




1. George Viscount Dupplin, Chancellor, 1627.
2. John Earl of Mar, 1627.
3. John Spotswoode, Archbishop of St. Andrews, 1627.
4. Thomas Earl of Haddington, 1627.
5. Robert, first Earl of Roxburghe.
6. George Viscount Dupplin, Chancellor, 1631.
7. William Earl of Menteith, 1631.
8. Thomas Earl of Haddington, 1631.
9. Alexander, second Earl of Linlithgow, 1631.
10. George Earl of Wintoun, 1631.

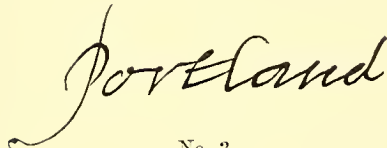
11. Alexander, first Earl of Galloway, 1631.
12. Colin ? Earl of Seaforth, 1631.
13. George Viscount Dupplin, Chancellor, 1631.
14. Thomas Earl of Haddington, 1631.
15. John, second Earl of Perth, 1631.
16. Sir Thomas Hope, Lord Advocate, 1631.
17. Sir John Scott of Scotstarvet, 1631.
18. James Baillie.
19. J. Hamilton.



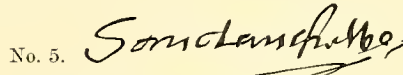
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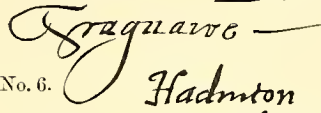
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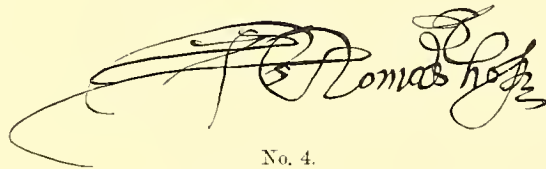
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No. 12.



No. 13.



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1. John Spotswoode, Archbishop of St. Andrews, 1625.
2. Richard Lord Weston, afterwards Earl of Portland, 1630.
3. Richard Earl of Portland, 1633.
4. Sir Thomas Hope, Lord Advocate, 1634.
5. John Spotswoode, Archbishop of St. Andrews, 1636.

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6. John Lord Traquair, 1636.
7. Thomas Earl of Haddington, 1636.
8. John Earl of Mar, 1636.
9. John, second Earl of Perth, 1636.
10. Robert, first Earl of Roxburgh, 1636.
11. John Earl of Landerdale, 1636.
12. David, first Earl of Southesk, 1636.
13. Sir Thomas Hope, Lord Advocate, 1636.

3 Y

Margaret Countess
of Luffington

No. 1.

Eliza Napier, Lady Ogilvie

No. 2.

Katherine Duchess
of Lennox

No. 3.

Lucie Stuart

No. 6.

Jean Perth

No. 10.

Anna Duchess of Buccleuch and
Moumouth

No. 4.

Mary Countess
of Marischall

No. 8.

Eliza Gordon

No. 5.

Mary Marchall

No. 9.

S^r A Waldegrave de St
Paul

No. 7.

Elisabeth Marchioness
of Stafford

No. 13.

Mary D.

No. 11.

Grisell Baillie

No. 12.

1. Margaret Maxwell, Countess of Lothian.
2. Eliza Napier, Lady Ogilvie of Airlie, 1623.
3. Katherine Duchess-Dowager of Lennox, 1627.
4. Anna Duchess of Buccleuch and Moumouth, 1678.
5. Elizabeth Howard, Duchess of Gordon, 1695.
6. Lady Lucie Stuart, 1711.
7. Sister the Honourable Arabella Waldegrave de St. Paul.

8. Mary Gordon, Duchess of Perth, 1715.
9. Mary Countess-Dowager of Marischall, 1719.
10. Jean Duchess of Perth, 1721.
11. Lady Mary Drummond, 1722.
12. Grisell Baillie, 1743.
13. Elisabeth Marchioness of Stafford, 1820.

George Con.

No. 1.

Lothiane

No. 2.

Hamilton

No. 3.

George Ogilvy

No. 4.

Frederick Hamilton

No. 5.

Cokpoole

No. 6.

A. Guthrie

No. 7.

W. Compton

No. 8.

Pitcairne

No. 9.

Linton

No. 10.

Ch. St.

No. 11.

1. The Rev. George Con, 1625.
2. Sir William Kerr, claiming to be Earl of Lothian, 1626.
3. Sir George Hamilton, 1627.
4. Captain George Ogilvy, 1627.
5. Sir Frederick Hamilton, 1627.

6. Sir Richard Murray of Cokpoole, 1629.
7. Mr. A. Guthrie, 1640.
8. Sir William Compton, 1660.
9. Dr. Archibald Pitcairne, *circa* 1708.
10. Charles Lord Linton, 1715.
11. Charles Steuart, Lord Linton, 1716.

Wentworth

No. 1.

George Monck

No. 2.

Albemarle

No. 3.

Bellew

No. 4.

Dumbarton.

No. 5.

Strathallan

No. 6.

L. Drummond of Melfort

No. 7.

1. Thomas Viscount Wentworth, 1633.
2. General George Monck, 1659.
3. George Monck, Duke of Albemarle, 1660.
4. Lord Bellew, 1731.

5. George Earl of Dumbarton, 1741.
6. William Viscount of Strathallan, 1745.
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